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General Assembly

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Sixty-third session
Third Committee
Agenda item 55 (b)
Social development: social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family

Belgium, Brazil, Central African Republic, Chile, Colombia, Costa Rica, Czech Republic, Democratic Republic of the Congo, Estonia, Finland, Germany, Guatemala, Honduras, Italy, Japan, Lithuania, Malta, Mexico, Netherlands, Panama, Peru, Slovenia, Spain and Thailand: draft resolution

Follow-up to the implementation of the International Year of Volunteers

The General Assembly,

Recalling its resolution 60/134 of 16 December 2005 on the follow-up to the International Year of Volunteers,

Noting that the momentum created by the International Year has contributed to the vibrancy of volunteerism globally with the involvement of more people, from a broader cross-section of societies,

Recognizing that volunteerism is an important component of any strategy aimed at, inter alia, such areas as poverty reduction, sustainable development, health, disaster prevention and management and social integration and, in particular, overcoming social exclusion and discrimination,

Recognizing also that volunteerism makes significant contributions to development and that appropriate policies are needed to ensure that this potential is realized,

Acknowledging the existing contribution of the organizations of the United Nations system to supporting volunteering, and especially the work of the United Nations Volunteers programme around the world, and acknowledging also the efforts by the International Federation of Red Cross and Red Crescent Societies to promote volunteerism throughout its global network,

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Bearing in mind the need for an integrated and coordinated follow-up to the International Year of Volunteers to be pursued in the relevant parts of the United Nations system,

1. *Welcomes* the report of the Secretary-General;[1]

2. *Reaffirms* the need to recognize and promote all forms of volunteerism as an issue that involves and benefits all segments of society, including women, children, young persons, older persons, persons with disabilities, minorities, migrants and those who remain excluded for social or economic reasons;

3. *Recognizes* the importance of supportive legislative and fiscal frameworks for the growth and development of volunteerism, and encourages Governments to enact such measures;

4. *Welcomes* the work of Governments, the United Nations system and other stakeholders to create a supportive environment for the promotion of volunteerism;

5. *Takes note* of the actions by Governments to support volunteerism and reiterates its call upon them to continue such action;

6. *Acknowledges* the importance of civil society organizations for the promotion of volunteerism and in that respect recognizes that strengthening the dialogue and interaction between civil society and the United Nations contributes to the expansion of volunteerism;

7. *Encourages* Governments to establish partnerships with civil society in order to build up volunteer potential at the national level, given the important contribution that volunteerism makes to the fulfilment of the internationally agreed development goals, including those contained in the United Nations Millennium Declaration;[2]

8. *Welcomes* the expanding involvement of the private sector in support of volunteerism and encourages Governments to support this trend;

9. *Invites* Governments to mobilize and support the research community globally to carry out more studies on the subject of volunteerism, in partnership with civil society, in order to provide a sound knowledge as a foundation for policies and programmes;

10. *Recognizes* that greater efforts are needed to ensure that climate change and the environment feature on the volunteerism agenda of Governments and the United Nations;

11. *Calls for* the relevant organizations and bodies of the United Nations system to integrate volunteerism in its various forms into their policies, programmes and reports, and encourages the recognition and inclusion of volunteer contributions in future United Nations and other relevant international conferences;

12. *Reaffirms* its recognition of the work of the United Nations Volunteers programme as the focal point for the follow-up to the International Year of Volunteers and requests it to continue to raise awareness of the contribution of volunteerism to peace and development, to act as a convener on the subject for the

[1] A/63/184.

[2] See resolution 55/2.

various interested stakeholders, to make available networking and reference resources and to provide technical cooperation to developing countries, upon their request;

13. *Invites* the Commission for Social Development to consider "volunteerism for development" in the context of its priority theme of social integration at its forty-seventh and forty-eighth sessions, in 2009 and 2010 respectively,

14. *Decides* that on or around 5 December 2011, the International Volunteer Day for Economic and Social Development, two plenary meetings at the sixty-sixth session of the General Assembly shall be devoted to follow-up to the International Year of Volunteers and the commemoration of its tenth anniversary, under the agenda item entitled "Social development";

15. *Invites* Governments, with the active support of the media, civil society and the private sector, as well as development partners and the relevant organizations and bodies of the United Nations system, to carry out activities focused on marking the tenth anniversary of the International Year of Volunteers, in 2011, at the regional and national levels;

16. *Requests* the Secretary-General to report to the General Assembly at its sixty-seventh session on the implementation of the present resolution, under the agenda item entitled "Social development".

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Third Committee
Agenda item 55 (d)
Social development: United Nations Literacy Decade: education for all

Armenia, Bulgaria, Colombia, Guatemala, Mongolia and Nicaragua: draft resolution

United Nations Literacy Decade: education for all

The General Assembly,

Recalling its resolution 56/116 of 19 December 2001, by which it proclaimed the ten-year period beginning on 1 January 2003 the United Nations Literacy Decade, its resolution 57/166 of 18 December 2002, in which it welcomed the International Plan of Action for the United Nations Literacy Decade, its resolution 59/149 of 20 December 2004 and its resolution 61/140 of 19 December 2006,

Recalling also the United Nations Millennium Declaration,[1] in which Member States resolved to ensure that, by 2015, children everywhere, boys and girls alike, will be able to complete a full course of primary schooling and that girls and boys will have equal access to all levels of education, which requires a renewed commitment to promote literacy for all,

Reaffirming the emphasis placed by the 2005 World Summit on the critical role of both formal and non-formal education in the achievement of poverty eradication and other development goals as envisaged in the Millennium Declaration, in particular basic education and training for achieving universal literacy, and the need to strive for expanded secondary and higher education as well as vocational education and technical training, especially for girls and women, the creation of human resources and infrastructure capabilities and the empowerment of those living in poverty,

Reaffirming also that quality basic education is crucial to nation-building, that literacy for all is at the heart of basic education for all and that creating literate environments and societies is essential for achieving the goals of eradicating

[1] See resolution 55/2.

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poverty, reducing child mortality, curbing population growth, achieving gender equality and ensuring sustainable development, peace and democracy,

Convinced that literacy is crucial to the acquisition by every child, youth and adult of the essential life skills that will enable them to address the challenges that they can face in life and represents an essential condition of lifelong learning, which is an indispensable means for effective participation in the knowledge societies and economies of the twenty-first century,

Affirming that the realization of the right to education, especially for girls, contributes to the promotion of gender equality and the eradication of poverty,

Welcoming the considerable efforts that have been made so far by Member States and the international community to address the objectives of the Decade and to implement the International Plan of Action,

Reaffirming the right of indigenous peoples, in particular children, to have non-discriminatory access to all levels and forms of education provided by States,

Noting with deep concern that 774 million adults who do not have basic literacy skills and 75 million children remain out of school, and millions more young people leave school without a level of literacy adequate for productive and active participation in their societies, that the issue of literacy may not be sufficiently high on national agendas to generate the kind of political and economic support required to address global literacy challenges and that the world is unlikely to meet those challenges if the present trends continue,

Deeply concerned about the persistence of the gender gap in education, which is reflected by the fact that nearly two thirds of the world's adult illiterates are women,

1. *Takes note* of the report of the Director-General of the United Nations Educational, Scientific and Cultural Organization on the implementation of the International Plan of Action for the United Nations Literacy Decade;[2]

2. *Takes note also* of the summary outcomes of the Regional Conferences in Support of Global Literacy,[3] held in Azerbaijan, China, India, Mali, Mexico and Qatar in 2007 and 2008, which indicate that the second half of the United Nations Literacy Decade should develop appropriate networks for greater regional collaboration;

3. *Recognizes* that a renewed collective commitment will be needed if the objectives of the Decade are to be met;

4. *Calls* on Member States to further reinforce political will, giving literacy higher priority within their educational planning and budgeting;

5. *Appeals* to all Governments to develop reliable literacy data and information and more inclusive policymaking environments, and to devise innovative strategies for reaching the poorest and most marginalized groups and for seeking alternative formal and non-formal approaches to learning with a view to achieving the goals of the Decade;

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[2] Available from http://www.unesco.org/education/en/literacy/conferences.

[3] Available from http://www.unesco.org/education/en/literacy/conferences.

6. *Also appeals* to Governments to take full account of the use of languages in different contexts by promoting multilingual approaches to literacy, through which learners may acquire initial literacy in the language they know best and in additional languages as needed;

7. *Urges* all Governments to take the lead in coordinating the activities of the Decade at the national level, bringing all relevant national actors together in a sustained dialogue and collaborative action on policy formulation, implementation and evaluation of literacy efforts;

8. *Appeals* to all Governments to strengthen national and subnational professional institutions in their countries and to foster greater collaboration among all literacy partners with a view to developing greater capacity to design and deliver high-quality literacy programmes for youth and adults;

9. *Appeals* to all Governments and to economic and financial organizations and institutions, both national and international, to lend greater financial and material support to the efforts to increase literacy and achieve the goals of Education for All and those of the Decade;

10. *Takes note* of the three priority areas for the remaining years of the Decade identified through the mid-Decade review, namely, mobilizing stronger commitment to literacy, reinforcing more effective literacy programme delivery and harnessing new resources for literacy, and requests the United Nations Educational, Scientific and Cultural Organization to develop a strategic framework for renewed cooperation and action based on these priorities, in cooperation with international partners in literacy, including the other specialized agencies and organizations of the United Nations system;

11. *Requests* the United Nations Educational, Scientific and Cultural Organization to reinforce its coordinating and catalysing role in the fight against illiteracy and to develop, in cooperation with other international partners, in particular the specialized agencies and organizations of the United Nations system, and on the basis of the mid-Decade review and the outcomes of the Regional Conferences in Support of Global Literacy held in 2007 and 2008, a strategic framework for renewed cooperation and action in literacy;

12. *Invites* Member States, the specialized agencies and other organizations of the United Nations system, as well as relevant intergovernmental and non-governmental organizations, to support the implementation of the above priorities within the framework of the internationally agreed development goals, including those contained in the United Nations Millennium Declaration;[1]

13. *Calls upon* Member States to give literacy higher priority within their educational planning and budgeting, while strengthening national and subnational institutions and fostering greater collaboration among all literacy partners;

14. *Also calls upon* Member States to give, during the second half of the implementation of the International Plan of Action for the United Nations Literacy Decade, adequate attention to the cultural diversity of minorities and indigenous peoples;

15. *Requests* all relevant entities of the United Nations system, in particular the United Nations Educational, Scientific and Cultural Organization, in cooperation with national Governments, to take immediate, concrete steps to address the needs

of countries with high illiteracy rates and/or with large populations of illiterate adults, with particular regard to women, including through programmes that promote low-cost and effective literacy provisions;

16. *Requests* the Secretary-General, in cooperation with the Director-General of the United Nations Educational, Scientific and Cultural Organization, to seek the views of Member States on the progress achieved in implementing their national programmes and plans of action for the Decade and to submit the next progress report on the implementation of the International Plan of Action to the General Assembly in 2010;

17. *Decides* to include in the provisional agenda of its sixty-fifth session, under the item entitled "Social development", the sub-item entitled "United Nations Literacy Decade: education for all".

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General Assembly

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Sixty-third session
Third Committee
Agenda item 98
International drug control

Mexico: draft resolution

International cooperation against the world drug problem

The General Assembly,

Recalling the United Nations Millennium Declaration,[1] the provisions of the 2005 World Summit Outcome[2] addressing the world drug problem, its resolution 62/176 of 18 December 2007 and its other previous relevant resolutions,

Reaffirming the Political Declaration adopted by the General Assembly at its twentieth special session[3] and the importance of meeting the objectives targeted for 2008,

Reaffirming also the joint ministerial statement adopted at the ministerial segment of the forty-sixth session of the Commission on Narcotic Drugs,[4] the Action Plan[5] for the Implementation of the Declaration on the Guiding Principles of Drug Demand Reduction[6] and the Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development, adopted by the General Assembly at its twentieth special session,[7]

Recalling its resolution 62/176, in which it welcomed the decision by the Commission on Narcotic Drugs to convene a high-level segment, during its fifty-second session, in order to allow time to assess the implementation of the declarations and measures adopted by the General Assembly at its twentieth special session,

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[1] See resolution 55/2.
[2] See resolution 60/1.
[3] Resolution S-20/2, annex.
[4] See *Official Records of the Economic and Social Council, 2003, Supplement No. 8* (E/2003/28/Rev.1), chap. I, sect. C; see also A/58/124, sect. II.A.
[5] Resolution 54/132, annex.
[6] Resolution S-20/3, annex.
[7] Resolution S-20/4 E.

08-54575 (E) 151008

Gravely concerned that, despite continued increased efforts by States, relevant organizations, civil society and non-governmental organizations, the world drug problem continues to constitute a serious threat to public health and safety and the well-being of humanity, in particular children and young people and their families, and to the national security and sovereignty of States, and that it undermines socio-economic and political stability and sustainable development,

Concerned by the serious challenges and threats posed by the continuing links between illicit drug trafficking and terrorism and other national and transnational criminal activities and transnational criminal networks, inter alia, trafficking in human beings, especially women and children, money-laundering, financing of terrorism, corruption, trafficking in arms and trafficking in chemical precursors, and reaffirming that strong and effective international cooperation is needed to counter these threats,

Recalling resolution 51/11 adopted by the Commission on Narcotic Drugs at its fifty-first session, in which the Commission recognized the increasing links between drug trafficking and the illicit manufacturing of and trafficking in firearms in some regions of the world and the need to prevent the spread of that problem to other regions,

Underlining the value of objective, scientific, balanced and transparent assessment by Member States of the global progress achieved and of the difficulties encountered in meeting the goals and targets set by the General Assembly at its twentieth special session,

Recognizing that international cooperation in countering drug abuse and illicit production and trafficking has shown that positive results can be achieved through sustained and collective efforts, and expressing its appreciation for the initiatives in this regard,

Bearing in mind the important role that civil society, including non-governmental organizations, plays in combating the world drug problem,

I
International cooperation to counter the world drug problem and follow-up to the twentieth special session

1. *Reaffirms* that countering the world drug problem is a common and shared responsibility that must be addressed in a multilateral setting, requires an integrated and balanced approach and must be carried out in full conformity with the purposes and principles of the Charter of the United Nations and other provisions of international law, and in particular with full respect for the sovereignty and territorial integrity of States, the principle of non-intervention in the internal affairs of States and for all human rights and fundamental freedoms, and on the basis of the principles of equal rights and mutual respect;

2. *Also reaffirms* that there shall be a balanced approach between demand reduction and supply reduction, each reinforcing the other, in an integrated approach to solving the world drug problem;

3. *Welcomes* the decision by the Commission on Narcotic Drugs to convene a high-level segment, during its fifty-second session, in order to allow time to assess

the implementation of the declarations and measures adopted by the General Assembly at its twentieth special session;[8]

4. *Welcomes also* the establishment by the Commission on Narcotic Drugs in its resolution 51/4 of five intergovernmental expert working groups, which met during the period June to September 2008 in order to work in a coordinated manner on the topics of drug demand reduction, supply reduction (manufacture and traffic), countering money-laundering and promoting judicial cooperation, international cooperation on the eradication of illicit drug crops and on alternative development, and control of precursors and of amphetamine-type stimulants, topics which correspond to the subjects of the action plans, declarations and measures adopted by the General Assembly at its twentieth special session;

5. *Calls upon* States and other relevant actors to evaluate progress made since 1998 towards meeting the goals and targets set at the twentieth special session of the General Assembly;

6. *Urges* all States to continue to promote and implement, including by allocating adequate resources and developing clear and consistent national policies, the outcomes of the twentieth special session of the General Assembly,[9] as well as the outcome of the ministerial segment of the forty-sixth session of the Commission on Narcotic Drugs,[4] and to implement the Action Plan[5] for the Implementation of the Declaration on the Guiding Principles of Drug Demand Reduction[6] and to strengthen their national efforts to counter the abuse of illicit drugs in their population, taking into account, inter alia, the results of the assessment of the implementation of the declarations and measures adopted by the Assembly at its twentieth special session;

7. *Urges* States that have not done so to consider ratifying or acceding to, and States parties to implement, as a matter of priority, all the provisions of the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol,[10] the Convention on Psychotropic Substances of 1971,[11] the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,[12] the United Nations Convention against Transnational Organized Crime and the Protocols thereto[13] and the United Nations Convention against Corruption;[14]

8. *Urges* all States to strengthen their efforts to achieve the goals set for 2008 at the twentieth special session of the General Assembly by:

(a) Promoting international initiatives in order to eliminate or reduce significantly the illicit manufacture, trafficking and marketing of drugs and other psychotropic substances, including synthetic drugs, and the diversion of precursors, other transnational criminal activities, including money-laundering and trafficking in arms, and corruption;

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[8] See *Official Records of the Economic and Social Council, 2007, Supplement No. 8* (E/2007/28/Rev.1), chap. I, sect. C, resolution 50/12.

[9] Resolutions S-20/2, S-20/3 and S-20/4 A-E.

[10] United Nations, *Treaty Series*, vol. 976, No. 14152.

[11] Ibid., vol. 1019, No. 14956.

[12] Ibid., vol. 1582, No. 27627.

[13] Ibid., vols. 2225, 2237, 2241 and 2326, No. 39574.

[14] Ibid., vol. 2349, No. 42146.

(b) Achieving significant and measurable results in the field of demand reduction, including through prevention and treatment strategies and programmes to reduce drug use, with particular focus on children and young people;

9. *Urges* Member States to fulfil their reporting obligations on the follow-up action to implement the outcome of the twentieth special session of the General Assembly on the world drug problem and to report fully on all measures agreed upon at the special session, including by providing data that are reliable and internationally comparable;

10. *Encourages* States to consider prevention, treatment and rehabilitation of drug use disorders as governmental health and social priorities, and to consider consulting and working with civil society, including non-governmental organizations, in developing, implementing and evaluating policies and programmes, in particular those related to demand reduction and prevention of drug abuse, and cooperating with civil society, including non-governmental organizations, in alternative development programmes;

11. *Calls upon* States and organizations with expertise in community capacity-building to provide, as needed, access to treatment, health care and social services for drug users, in particular those living with HIV/AIDS and other blood-borne diseases, and to extend support to States requiring such expertise, consistent with the international drug control treaties;

12. *Urges* all Member States to implement the Action Plan for the Implementation of the Declaration of the Guiding Principles of Drug Demand Reduction and to strengthen their national efforts to counter the abuse of illicit drugs in their population, in particular among children and young people;

13. *Encourages* Member States to identify drug control priorities to be set for future concerted action and to consider making voluntary public commitments to tackle present challenges in drug trafficking;

14. *Calls upon* States to expand prevention, treatment and rehabilitation initiatives, while fully respecting the dignity of drug-addicted persons, and to take further action to improve data collection and evaluation capacity on the demand for illicit drugs, including the demand for synthetic drugs, and, where appropriate, abuse of and addiction to prescription drugs;

15. *Urges* States to continue working towards achieving a significant and measurable reduction of drug abuse and to share the results on this subject obtained during the high-level segment of the fifty-second session of the Commission on Narcotic Drugs, to take place in March 2009;

16. *Encourages* Member States to take adequate national and international measures to prevent criminal organizations involved in drug trafficking, from acquiring and using firearms and ammunition, in order to guarantee more security in all nations;

17. *Reaffirms* the need for a comprehensive approach to the elimination of illicit narcotic crops in line with the Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development, adopted by the General Assembly at its twentieth special session;[7]

18. *Calls for* a comprehensive approach integrating alternative development programmes, including, where appropriate, preventive and innovative alternative development, into wider economic and social development programmes, with the support of a deeper international cooperation and the participation of the private sector, as appropriate;

19. *Invites* States to sustain and increase international cooperation and, where needed, technical assistance to countries implementing policies and programmes against drug production, including illicit crop eradication and alternative development programmes;

20. *Stresses* the importance of the contribution of the United Nations system and the international community to the economic and social development of the communities that benefit from innovative alternative programmes to eradicate illicit drug production, inter alia, in reforestation, agriculture and small and medium-sized enterprises;

21. *Encourages* States to establish comprehensive monitoring systems and to enhance regional, international and multisectoral cooperation, including with industry, on the manufacture of, trafficking in and abuse of precursors and amphetamine-type stimulants;

22. *Calls upon* States to consider ways to strengthen mechanisms for the collection and sharing of information on trafficking in precursors, in particular for making seizures, preventing diversions, detaining consignments, dismantling laboratories and assessing emerging trafficking and diversion trends, new manufacturing methods and the use of non-controlled substances, with a view to enhancing the effectiveness of the international control framework;

23. *Emphasizes* the need to ensure that adequate mechanisms are in place, where necessary and to the extent possible, to prevent the diversion of preparations containing substances listed in tables I and II of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, pertaining to illicit drug manufacture, which could easily be used or recovered by readily applicable means, in particular those containing ephedrine and pseudoephedrine;

24. *Urges* all States and relevant international organizations to cooperate closely with the International Narcotics Control Board, in particular in Project Cohesion and Project Prism, in order to enhance the success of those international initiatives, and to initiate, where appropriate, investigations by their law enforcement authorities into seizures and cases involving the diversion or smuggling of precursors and essential equipment, with a view to tracking them back to the source of diversion in order to prevent continuing illicit activity;

25. *Stresses* that international cooperation on domestic precursor policies and practices would assist in complementing existing law enforcement cooperative initiatives, and encourages States to cooperate at the regional level on measures to prevent and control the domestic diversion of precursors, drawing on best practices and sharing experiences;

26. *Recognizes* that the illegal distribution of pharmaceutical products that contain internationally controlled substances via the Internet is a serious problem, and encourages Member States to notify the International Narcotics Control Board

of seizures of pharmaceutical products or counterfeit drugs ordered via the Internet and received by mail containing those substances in order to analyse in detail the trends in trafficking in those products, and also encourages the Board to continue its work aimed at raising awareness of this matter;

27. *Calls upon* States to implement and strengthen, as appropriate, the measures to promote judicial cooperation adopted at the twentieth special session of the General Assembly,[15] in particular with regard to mutual legal assistance, exchange of information and joint operations, as appropriate, including with technical assistance from the United Nations Office on Drugs and Crime;

28. *Calls upon* Member States to strengthen international cooperation among judicial and law enforcement authorities at all levels in order to prevent and combat illicit drug trafficking and to share and promote best operational practices in order to interdict illicit drug trafficking, including by establishing and strengthening regional mechanisms, providing technical assistance and establishing effective methods for cooperation, in particular in the areas of air, maritime, port and border control and in the implementation of extradition treaties, while respecting international human rights obligations;

29. *Urges* States to consider the possibility of updating their legal and regulatory framework, as well as their institutions, and to strengthen action, in particular international cooperation and technical assistance aimed at preventing and combating the laundering of proceeds derived from drug trafficking and related criminal activities, with the support of the United Nations system, international institutions such as the World Bank and the International Monetary Fund, as well as regional development banks and, where appropriate, the Financial Action Task Force on Money Laundering and similarly styled regional bodies, to develop and strengthen comprehensive international regimes to combat money-laundering and its possible links with organized crime and the financing of terrorism, and to improve information-sharing among financial institutions and agencies in charge of preventing and detecting the laundering of those proceeds;

30. *Encourages* Member States that have not done so to consider establishing financial investigation units and, to that end, seek technical assistance, including from the United Nations Office on Drugs and Crime, in particular regarding the identification, freezing, seizing and confiscation of the proceeds of crime, in order to effectively prevent and combat money-laundering;

31. *Encourages* Member States to consider at the high-level segment of the fifty-second session of the Commission on Narcotic Drugs, the conclusions reached at the five intergovernmental expert working groups established by the Commission at its fifty-first session in the areas of drug demand reduction; supply reduction (manufacture and traffic); countering money-laundering and promoting judicial cooperation; international cooperation on the eradication of illicit drug crops and on alternative development; and control of precursors and of amphetamine-type stimulants;

32. *Urges* Member States to be represented at the highest possible level at the high-level segment of the Commission on Narcotic Drugs at its fifty-second

[15] See resolution S-20/4 C.

session, in order for the international community to reaffirm its commitment in the fight against the world drug problem;

33. *Encourages* all Governments to carry out an objective, critical, transparent and in-depth evaluation of their endeavours to implement the commitments adopted by the General Assembly at its twentieth special session;

34. *Reiterates* that, in accordance with resolution 51/4 of the Commission on Narcotic Drugs, Member States should consider and adopt a political declaration and, as appropriate, other declarations and measures that, on the basis of the results of the evaluation process, identify the goals and targets to be set in countering the world drug problem beyond 2009;

35. *Requests* the Commission on Narcotic Drugs to forward to the General Assembly, through the Economic and Social Council, the results of the global assessment to be carried out at the high-level segment of the Commission at its fifty-second session of the progress achieved in meeting the goals and targets set out in the Political Declaration adopted by the General Assembly at its twentieth special session;

II
Action by the United Nations system

36. *Reaffirms* the importance of the United Nations Office on Drugs and Crime and its regional offices in building capacity at the local level in the fight against transnational organized crime and drug trafficking, and urges the Office to consider regional vulnerabilities, projects and impact in the fight against drug trafficking, in particular in developing countries, when deciding to close and allocate offices, with a view to maintaining an effective level of support to national and regional efforts in combating the world drug problem;

37. *Welcomes* the work carried out by the United Nations Office on Drugs and Crime, and requests the Office to continue to carry out its mandate in accordance with previous relevant resolutions of the General Assembly, the Economic and Social Council and the Commission on Narcotic Drugs, in close cooperation with other relevant United Nations organizations and programmes, such as the World Health Organization, the United Nations Development Programme and the Joint United Nations Programme on HIV/AIDS;

38. *Notes* that the International Narcotics Control Board needs sufficient resources to carry out all its mandates, reaffirms the importance of its work, encourages it to continue to carry out its work in accordance with its mandate, urges Member States to commit themselves in a common effort to assigning adequate and sufficient budgetary resources to the Board, in accordance with Economic and Social Council resolution 1996/20 of 23 July 1996, emphasizes the need to maintain its capacity, inter alia, through the provision of appropriate means by the Secretary-General and adequate technical support from the United Nations Office on Drugs and Crime, and calls for enhanced cooperation and understanding between Member States and the Board in order to enable it to implement all its mandates under the international drug control conventions;

39. *Urges* the United Nations Office on Drugs and Crime to increase collaboration with intergovernmental, international and regional organizations that

have drug control mandates, as appropriate, in order to share best practices and to take advantage of their unique comparative advantage;

40. *Takes note with appreciation* of the adoption by the Economic and Social Council of the strategy for the period 2008-2011 for the United Nations Office on Drugs and Crime;[16]

41. *Requests* the United Nations Office on Drugs and Crime to carry out, at the request of Member States, training programmes to support the adoption of sound methods and to harmonize indicators used for statistics on drug use, which have already been considered by the Statistical Commission, in order to collect and analyse comparable data on drug abuse;

42. *Urges* all Governments to provide the fullest possible financial and political support to the United Nations Office on Drugs and Crime by widening its donor base and increasing voluntary contributions, in particular general purpose contributions, so as to enable it to continue, expand and strengthen its operational and technical cooperation activities, within its mandates, and recommends that a sufficient share of the regular budget of the United Nations be allocated to the Office to enable it to carry out its mandates and to work towards securing assured and predictable funding;

43. *Takes note* of the *World Drug Report 2008*[17] of the United Nations Office on Drugs and Crime, regrets the surge in opium cultivation in certain areas noted by the Commission on Narcotic Drugs in its resolution 50/1,[18] and calls upon States to strengthen international and regional cooperation to counter the threat to the international community caused by the illicit production and trafficking in drugs and to continue to take concerted measures such as the framework of the Paris Pact initiative;[19]

44. *Encourages* the meetings of Heads of National Drug Law Enforcement Agencies and of the Subcommission on Illicit Drug Traffic and Related Matters in the Near and Middle East of the Commission on Narcotic Drugs to continue to contribute to the strengthening of regional and international cooperation, taking into account the outcomes of the twentieth special session of the General Assembly[9] and the joint ministerial statement adopted at the ministerial segment of the forty-sixth session of the Commission on Narcotic Drugs;[4]

45. *Encourages* the Commission on Narcotic Drugs, as the global coordinating body in international drug control and as the governing body of the drug programme of the United Nations Office on Drugs and Crime, and the International Narcotics Control Board to continue their useful work on the control of precursors and other chemicals used in the illicit manufacture of narcotic drugs and psychotropic substances;

46. *Calls upon* the relevant United Nations agencies and entities, and other international organizations, and invites international financial institutions, including regional development banks, to mainstream drug control issues into their

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[16] See Economic and Social Council resolutions 2007/12 and 2007/19.

[17] United Nations publication, Sales No. E.08.XI.1.

[18] See *Official Records of the Economic and Social Council, 2007, Supplement No. 8* (E/2007/28/Rev.1), chap. I, sect. C.

[19] See S/2003/641, annex.

programmes, and calls upon the United Nations Office on Drugs and Crime to maintain its leading role by providing relevant information and technical assistance;

47. *Takes note* of the report of the Secretary-General,[20] and requests the Secretary-General to submit to the General Assembly at its sixty-fourth session a report on the implementation of the present resolution.

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[20] A/63/111.

United Nations A/C.3/63/L.9

General Assembly

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Sixty-third session
Third Committee
Agenda item 97
Crime prevention and criminal justice

Belarus, Russian Federation and Uzbekistan: draft resolution

Improving the coordination of efforts against trafficking in persons

The General Assembly,

Recalling its resolution 61/180 of 20 December 2006 on improving the coordination of efforts against trafficking in persons and other relevant General Assembly resolutions on trafficking in persons and other contemporary forms of slavery,

Recalling also Economic and Social Council resolution 2008/33 of 25 July 2008 on strengthening coordination of the United Nations and other efforts in fighting trafficking in persons and previous Council resolutions on trafficking in persons,

Recalling further the United Nations Convention against Transnational Organized Crime[1] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[2] and welcoming the progress achieved by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography[3] and the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery,[4]

Recognizing that contemporary forms of slavery violate human rights and that trafficking in persons impairs the enjoyment of human rights, continues to pose a serious challenge to humanity and requires a concerted international response,

[1] Resolution 55/25, annex I.
[2] Ibid., annex II.
[3] United Nations, *Treaty Series*, vol. 2171, No. 27531.
[4] Ibid., vol. 266, No. 3822.

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Welcoming the decisions of the Human Rights Council to establish the mandate of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, and to extend the mandates of the Special Rapporteur on trafficking in persons, especially in women and children, and the Special Rapporteur on the sale of children, child prostitution and child pornography,

Recognizing that broad international cooperation between Member States and relevant intergovernmental and non-governmental organizations is essential for effectively countering the threat of trafficking in persons and other contemporary forms of slavery, and inviting them to foster a global partnership against trafficking in persons and other contemporary forms of slavery, with a view to eliminating all contemporary forms of slavery and trafficking in persons and protecting and assisting their victims,

1. *Urges* Member States that have not yet done so to consider taking measures to ratify or accede to the United Nations Convention against Transnational Organized Crime[1] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[2] and to implement fully all aspects of these instruments;

2. *Also urges* Member States that have not yet done so to consider taking measures to ratify or accede to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography[3] and the Convention on the Elimination of All Forms of Discrimination against Women;[5]

3. *Welcomes* the steps taken by human rights treaty bodies and the Special Rapporteur on trafficking in persons, especially in women and children, United Nations agencies and other concerned intergovernmental and governmental organizations, within their mandates, as well as civil society, to address the problem of trafficking in persons, and encourages them to continue doing so and to share their knowledge and best practices as widely as possible;

4. *Calls upon* Governments to criminalize trafficking in persons in all its forms and to condemn and penalize traffickers and intermediaries, while ensuring protection and assistance to the victims of trafficking with full respect for their human rights, and invites Member States to continue to support those United Nations agencies and international organizations that are actively involved in victim protection;

5. *Encourages* all stakeholders to strengthen coordination of efforts, including through the Inter-Agency Coordination Group against Trafficking in Persons and regional and bilateral initiatives;

6. *Welcomes* the work carried out under the United Nations Global Initiative to Fight Human Trafficking, and encourages the United Nations Office on Drugs and Crime to continue to cooperate with relevant international organizations outside of the United Nations system, utilizing extrabudgetary resources, and to invite such organizations to participate, when appropriate, in the meetings of the Inter-Agency Coordination Group against Trafficking in Persons and to keep Member States informed of the schedule of and the progress made by the Coordination Group;

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[5] Ibid., vol. 1249, No. 20378.

7. *Recognizes* the importance of comparable data and of strengthening national capacity for the analysis of such data, and welcomes the efforts of the interagency coordination group, drawing on the comparative advantages of the respective agencies, to share information, experiences and good practices on anti-trafficking activities of the partner agencies with Governments, other international and regional organizations, non-governmental organizations and other relevant bodies;

8. *Welcomes* the efforts of the United Nations Office on Drugs and Crime to publish a global report with reliable data on trafficking in persons by the end of 2008, and acknowledges the important work on data collection and analysis conducted by the International Organization for Migration through its global counter-trafficking module database;

9. *Takes note* of the discussions at the thematic debate of the General Assembly on human trafficking, held in New York on 3 June 2008, which included a discussion on the advisability of a United Nations strategy or plan of action on preventing trafficking in persons and protecting and assisting victims of trafficking;

10. *Invites* all Member States to continue consideration of the advisability of a global plan of action against trafficking in persons, which would support full and effective implementation of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, and other relevant legal instruments in this field, and invites the President of the General Assembly to facilitate this consideration and report to the Assembly on the results by the end of its sixty-third session;

11. *Invites* Member States to provide voluntary contributions to the United Nations Office on Drugs and Crime in order to facilitate optimum implementation of its coordination functions, and reiterates its request to the Secretary-General to provide the United Nations Crime Prevention and Criminal Justice Programme with sufficient resources for the full implementation of its mandates, in conformity with its high priorities, and to provide adequate support to the Commission on Crime Prevention and Criminal Justice;

12. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fourth session a report on the implementation of the present resolution and on possible approaches to improve coordination of efforts against trafficking in persons.

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Agenda item 97
Crime prevention and criminal justice

Italy: draft resolution

Strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity

The General Assembly,

Recalling its resolution 46/152 of 18 December 1991 on the creation of an effective United Nations Crime Prevention and Criminal Justice Programme, and its resolution 62/175 of 18 December 2007 on strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity,

Recalling also its resolution 60/1 of 16 September 2005 on the 2005 World Summit Outcome, in particular the sections on transnational crime and terrorism,

Taking note with appreciation of the adoption by the Economic and Social Council of the strategy for the period 2008-2011 for the United Nations Office on Drugs and Crime,[1] which aims, inter alia, to enhance its effectiveness and flexibility in providing technical assistance and policy services,

Recalling section XI of its resolution 61/252 of 22 December 2006, entitled "Strengthening the United Nations Crime Prevention and Criminal Justice Programme and the role of the Commission on Crime Prevention and Criminal Justice as its governing body", where the Commission, as the principal United Nations policymaking body on crime prevention and criminal justice issues, was given the authority to approve the budget of the United Nations Crime Prevention and Criminal Justice Fund, and welcoming the outcome of the reconvened sixteenth session of the Commission held on 29 and 30 November 2007,

Recalling also its resolution 62/173 of 18 December 2007, entitled, "Follow-up to the Eleventh United Nations Congress on Crime Prevention and Criminal

[1] See Economic and Social Council resolutions 2007/12 and 2007/19.

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Justice and preparations for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice",

Recalling further its resolution 62/202 of 19 December 2007, entitled "Preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets, in particular to the countries of origin, consistent with the United Nations Convention against Corruption",

Reaffirming its resolutions relating to the urgent need to strengthen international cooperation and technical assistance in promoting and facilitating the ratification and implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto,[2] the United Nations Convention against Corruption[3] and all the international conventions and protocols against terrorism, including those recently entered into force,

Reaffirming also the commitments undertaken by Member States in the United Nations Global Counter-Terrorism Strategy, adopted on 8 September 2006,[4]

Recalling its resolution 61/180 of 20 December 2006, on improving the coordination of efforts against trafficking in persons and the coordinating role of the United Nations Office on Drugs and Crime in this respect,

Recalling also its resolution 62/172 of 18 December 2007, entitled "Technical assistance for implementing the international conventions and protocols related to terrorism",

Welcoming the Vienna Forum to Fight Human Trafficking, held from 13 to 15 February 2008, in accordance with decision 16/1 of 27 April 2007 of the Commission on Crime Prevention and Criminal Justice,[5]

Taking into consideration all relevant Economic and Social Council resolutions, in particular resolutions 2008/23, 2008/24 and 2008/25 of 24 July 2008, and all those relating to the strengthening of international cooperation as well as the technical assistance and advisory services of the United Nations Crime Prevention and Criminal Justice Programme of the United Nations Office on Drugs and Crime in the field of crime prevention and criminal justice, promotion and reinforcement of the rule of law and reform of criminal justice institutions, including with regard to the implementation of technical assistance,

Emphasizing that its resolution 61/143 of 19 December 2006 on the intensification of efforts to eliminate all forms of violence against women has considerable implications for the United Nations Crime Prevention and Criminal Justice Programme and its activities,

Welcoming the outcome of the thematic discussion held by the Commission on Crime Prevention and Criminal Justice in 2008 at its seventeenth session, pursuant to Economic and Social Council decision 2007/253 of 26 July, entitled "Thematic discussion on aspects of violence against women that pertain directly to the Commission on Crime Prevention and Criminal Justice",

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[2] United Nations, *Treaty Series*, vols. 2225, 2237, 2241 and 2326, No. 39574.

[3] Ibid., vol. 2349, No. 42146.

[4] Resolution 60/288.

[5] See *Official Records of the Economic and Social Council, 2007, Supplement No. 10* (E/2007/30/Rev.1), Part One, chap. I, sect. D.

Recalling the Bangkok Declaration on Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice,[6]

Recognizing that actions against transnational organized crime and terrorism are a common and shared responsibility, and stressing the need to work collectively to prevent and combat transnational organized crime, corruption and terrorism in all its forms and manifestations,

Recognizing also the need to maintain a balance in the technical cooperation capacity of the United Nations Office on Drugs and Crime between all relevant priorities identified by the General Assembly and the Economic and Social Council,

1. *Takes note with appreciation* of the report of the Secretary-General on the progress made in the implementation of General Assembly resolution 62/175;[7]

2. *Reaffirms* the importance of the United Nations Crime Prevention and Criminal Justice Programme in promoting effective action to strengthen international cooperation in crime prevention and criminal justice, as well as of the work of the United Nations Office on Drugs and Crime in the fulfilment of its mandate in crime prevention and criminal justice, including providing to Member States, upon request and as a matter of high priority, technical cooperation, advisory services and other forms of assistance, and coordinating with and complementing the work of all relevant and competent United Nations bodies and offices;

3. *Recognizes* the progress made by the United Nations Office on Drugs and Crime in the delivery of advisory services and assistance to requesting Member States in the areas of corruption, organized crime, money-laundering, terrorism, kidnapping, trafficking in persons, including the support and protection of victims, and international cooperation, with special emphasis on extradition and mutual legal assistance;

4. *Urges* the United Nations Office on Drugs and Crime to increase collaboration with intergovernmental, international and regional organizations that have transnational organized crime mandates, as appropriate, in order to share best practices and to take advantage of their unique and comparative advantage;

5. *Draws attention* to the emerging policy issues identified in the report of the Secretary-General, inter alia, urban crime, the sexual exploitation of children, economic fraud and identity theft, international trafficking in forest products, including timber, wildlife and other forest biological resources, and cybercrime, and invites the United Nations Office on Drugs and Crime to explore, within its mandate, ways and means of addressing these issues, bearing in mind Economic and Social Council resolutions 2007/12 of 25 July 2007 and 2007/19 of 26 July 2007 on the strategy for the period 2008-2011 for the United Nations Office on Drugs and Crime;

6. *Urges* Member States and relevant international organizations to develop national and regional strategies, as appropriate, and other necessary measures, in cooperation with the United Nations Crime Prevention and Criminal Justice Programme, to address effectively transnational organized crime, including

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[6] Resolution 60/177, annex.

[7] A/63/99.

trafficking in persons, the smuggling of migrants and illicit manufacturing of and transnational trafficking in firearms, as well as corruption and terrorism;

7. *Reaffirms* the importance of the United Nations Office on Drugs and Crime and its regional offices in building capacity at the local level in the fight against transnational organized crime and drug trafficking, and urges the Office to consider regional vulnerabilities, projects and impact in the fight against transnational organized crime, in particular in developing countries, when deciding to close and allocate offices, with a view to maintaining an effective level of support to national and regional efforts in those areas;

8. *Urges* all Member States that have not yet done so to consider ratifying or acceding to the United Nations Convention against Transnational Organized Crime (Palermo Convention) and the Protocols thereto,[2] the United Nations Convention against Corruption (Merida Convention) and the international conventions and protocols related to terrorism, and encourages States parties to continue to provide full support to the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and the Conference of the States Parties to the United Nations Convention against Corruption, including providing information to the Conferences regarding compliances with the treaties;

9. *Welcomes* the progress achieved by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and the Conference of the States Parties to the United Nations Convention against Corruption in the implementation of their respective mandates, and reiterates its request to the Secretary-General to continue to provide, including through the services of the United Nations Office on Drugs and Crime, the support and resources they need to perform their mandated functions;

10. *Requests* the United Nations Office on Drugs and Crime to enhance its technical assistance to Member States, upon request, to strengthen international cooperation in preventing and combating terrorism through the facilitation of the ratification and implementation of the universal conventions and protocols related to terrorism, in close consultation with the Counter-Terrorism Committee and its Executive Directorate, as well as to contribute to the work of the Counter-Terrorism Implementation Task Force and invites Member States to provide the Office with appropriate resources for its mandate;

11. *Welcomes* decision 17/1 of 18 April 2008 of the Commission on Crime Prevention and Criminal Justice entitled "Strengthening crime prevention and criminal justice responses to violence against women and girls"[8] in which the Commission requested the United Nations Office on Drugs and Crime to convene an intergovernmental group of experts to review and update, as appropriate, the Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice (General Assembly resolution 52/86, annex) and to make recommendations on addressing violence against women and girls, to be considered by the Commission at its nineteenth session, and requests the Commission to report through the Economic and Social Council to the Assembly on the outcome of that work;

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[8] See *Official Records of the Economic and Social Council, 2008, Supplement No. 10* (E/2008/30), chap. I, sect. D.

12. *Encourages* Member States to take relevant measures, as appropriate to their national contexts, to ensure the use and application of the United Nations Standards and Norms in crime prevention and criminal justice, including the consideration and, where they deem it necessary, dissemination of existing manuals and handbooks developed and published by the United Nations Office on Drugs and Crime;

13. *Reiterates* the importance of providing the United Nations Crime Prevention and Criminal Justice Programme with sufficient, stable and predictable funding for the full implementation of its mandates, in conformity with the high priority accorded to it and in accordance with the increasing demand for its services, in particular with regard to the provision of increased assistance to developing countries, countries with economies in transition and those emerging from conflict, in the area of crime prevention and criminal justice reform;

14. *Welcomes* decision 17/2 of 18 April 2008 of the Commission on Crime Prevention and Criminal Justice, entitled "Improving the governance and financial situation of the United Nations Office on Drugs and Crime",[8] establishing an open-ended intergovernmental working group on how to ensure political ownership by the Member States and on how to improve the governance structure and financial situation of the United Nations Office on Drugs and Crime, and looks forward to receiving, through the Economic and Social Council, the recommendations of the working group so that these can be taken into account in the consideration of the programme budget of the Organization for the forthcoming biennium;

15. *Reiterates its request* to the Secretary-General to provide the United Nations Crime Prevention and Criminal Justice Programme with sufficient resources for the full implementation of its mandates, in conformity with its high priorities, and to provide adequate support to the Commission on Crime Prevention and Criminal Justice, as well as the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and the Conference of the States Parties to the United Nations Convention against Corruption;

16. *Requests* the Secretary-General to submit a report to the General Assembly at its sixty-fourth session on the implementation of the mandates of the United Nations Crime Prevention and Criminal Justice Programme, reflecting also emerging policy issues and possible responses.

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Agenda item 97
Crime prevention and criminal justice

Kenya:* draft resolution

United Nations African Institute for the Prevention of Crime and the Treatment of Offenders

The General Assembly,

Recalling its resolution 61/174 of 18 December 2007 and all other relevant resolutions,

Taking note of the Report of the Secretary-General,[1]

Bearing in mind the urgent need to establish effective crime prevention strategies for Africa, as well as the importance of law enforcement agencies and the judiciary at the regional and subregional levels,

Bearing in mind also the Programme of Action, 2006-2010, endorsed by the Round Table for Africa, held in Abuja on 5 and 6 September 2005,[2]

Aware of the devastating impact of crime on the national economies of African States and of the fact that crime is a major obstacle to harmonicus and sustainable development in Africa,

Noting that the financial situation of the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders has greatly affected its capacity to deliver its services to African Member States in an effective and comprehensive manner,

1. *Commends* the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders for its efforts to promote and coordinate regional technical cooperation activities related to crime prevention and criminal justice systems in Africa;

* On behalf of the States Members of the United Nations that are members of the Group of African States.

[1] A/63/87.

[2] Available from www.unodc.org/art/en/ppaa.html.

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2. *Also commends* the initiative of the United Nations Office on Drugs and Crime in strengthening its working relationship with the Institute by supporting and involving the Institute in the implementation of a number of activities, including those contained in the Programme of Action, 2006-2010, on strengthening the rule of law and criminal justice systems in Africa;[2]

3. *Further commends* the Secretary-General for his efforts to mobilize the financial resources necessary to provide the Institute with the core professional staff required to enable it to function effectively in the fulfilment of its mandated obligations;

4. *Reiterates* the need to strengthen further the capacity of the Institute to support national mechanisms for crime prevention and criminal justice in African countries;

5. *Notes* the efforts of the Institute to establish contacts with organizations in those countries which are promoting crime prevention programmes and its maintenance of close links with regional and subregional political entities such as the Commission of the African Union, the East African Community, the Economic Commission of West African States, the Intergovernmental Authority on Development and the Southern African Development Community;

6. *Urges* the States members of the Institute to continue to make every possible effort to meet their obligations to the Institute;

7. *Welcomes* the decision of the Governing Board of the Institute, at its 10th annual meeting, held in Khartoum on 19 and 20 May 2008, to convene a conference of African ministers to discuss measures for improving the flow of resources to the Institute;

8. *Urges* all Member States and non-governmental organizations and the international community to continue adopting concrete practical measures to support the Institute in the development of the requisite capacity and to implement its programmes and activities aimed at strengthening crime prevention and criminal justice systems in Africa;

9. *Urges* all States that have not already done so to consider ratifying or acceding to the United Nations Convention against Transnational Organized Crime;[3]

10. *Requests* the Secretary-General to intensify efforts to mobilize all relevant entities of the United Nations system to provide the necessary financial and technical support to the Institute to enable it to fulfil its mandate;

11. *Also requests* the Secretary-General to continue his efforts to mobilize the financial resources necessary to maintain the Institute with the core professional staff required to enable it to function effectively in the fulfilment of its mandated obligations;

12. *Calls upon* the United Nations Crime Prevention and Criminal Justice Programme and the United Nations Office on Drugs and Crime to continue to work closely with the Institute;

13. *Requests* the Secretary-General to enhance the promotion of regional cooperation, coordination and collaboration in the fight against crime, especially in

[3] United Nations, *Treaty Series*, vol. 2225, No. 39574.

its transnational dimension, which cannot be dealt with adequately by national action alone;

14. *Also requests* the Secretary-General to continue making concrete proposals, including for the provision of additional core professional staff, to strengthen the programmes and activities of the Institute and to report to the General Assembly at its sixty-fourth session on the implementation of the present resolution.

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Third Committee
Agenda item 56 (a)
Advancement of women: advancement of women

Belgium and Netherlands: draft resolution

Intensification of efforts to eliminate all forms of violence against women

The General Assembly,

Recalling its resolutions 61/143 of 19 December 2006 and 62/133 of 18 December 2007, and all its previous resolutions on the elimination of violence against women,

Welcoming Security Council resolutions 1325 (2000) of 31 October 2000 and 1820 (2008) of 19 June 2008 on women and peace and security,

Reaffirming the obligation of all States to promote and protect all human rights and fundamental freedoms, and reaffirming also that discrimination on the basis of sex is contrary to the Charter of the United Nations, the Convention on the Elimination of All Forms of Discrimination against Women[1] and other international human rights instruments, and that its elimination is an integral part of efforts towards the elimination of all forms of violence against women,

Reaffirming also the Declaration on the Elimination of Violence against Women,[2] the Beijing Declaration and Platform for Action,[3] the outcome of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century",[4] and the declaration adopted at the forty-ninth session of the Commission on the Status of Women,[5]

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[1] United Nations, *Treaty Series*, vol. 1249, No. 20378.

[2] See resolution 48/104.

[3] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[4] Resolution S-23/2, annex, and resolution S-23/3, annex.

[5] See *Official Records of the Economic and Social Council, 2005, Supplement No. 7* and corrigendum (E/2005/27 and Corr.1), chap. I, sect. A; see also Economic and Social Council decision 2005/232.

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Reaffirming further the international commitments in the field of social development and to gender equality and the advancement of women made at the World Conference on Human Rights, the International Conference on Population and Development, the World Summit for Social Development and the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, as well as those made in the United Nations Millennium Declaration[6] and at the 2005 World Summit, and noting the attention paid to the elimination of all forms of violence against indigenous women in the United Nations Declaration on the Rights of Indigenous Peoples adopted by the General Assembly in its resolution 61/295 of 13 September 2007,

Recalling the inclusion of gender-related crimes and crimes of sexual violence in the Rome Statute of the International Criminal Court,[7] as well as the recognition by the ad hoc international criminal tribunals that rape and other forms of sexual violence can constitute a war crime, a crime against humanity or a constitutive act with respect to genocide,

Recognizing that violence against women is rooted in historically unequal power relations between men and women and that all forms of violence against women seriously violate and impair or nullify the enjoyment by women of all human rights and fundamental freedoms and constitute a major impediment to the ability of women to make use of their capabilities,

Deeply concerned about the pervasiveness of violence against women and girls in all its different forms and manifestations worldwide, and reiterating the need to intensify efforts to prevent and eliminate all forms of violence against women and girls throughout the world,

Expressing its appreciation for the high number of activities undertaken by States to eliminate all forms of violence against women, such as by enacting or amending legislation relating to acts of violence against women and adopting comprehensive national action plans to combat such violence,

Recognizing the important role of civil society in the efforts to eliminate all forms of violence against women,

1. *Stresses* that "violence against women" means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life;

2. *Recognizes* that violence against women and girls persists in every country in the world as a pervasive violation of the enjoyment of human rights and a major impediment to achieving gender equality, development, peace and the internationally agreed development goals, in particular the Millennium Development Goals;

3. *Expresses* concern about the continued level of impunity for acts of violence against women worldwide;

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[6] See resolution 55/2.

[7] United Nations, *Treaty Series*, vol. 2187, No. 38544.

4. *Welcomes* the report of the Secretary-General on the intensification of efforts to eliminate all forms of violence against women[8] and the report of the Secretary-General on the elimination of rape and other forms of sexual violence in all their manifestations, including in conflict and related situations;[9]

5. *Welcomes also* the efforts and important contributions at the local, national, regional and international levels to eliminate all forms of violence against women, including the work done by the Committee on the Elimination of Discrimination against Women and the Special Rapporteur on violence against women, its causes and consequences, in particular the report submitted by the Special Rapporteur to the Human Rights Council in 2008;[10]

6. *Welcomes further* the launch of the Secretary-General's campaign to end violence against women, "UNiTE to End Violence against Women", and stresses the need to ensure that concrete follow-up activities will be undertaken by the United Nations system to intensify action to end violence against women, with close consultation on existing system-wide activities on violence against women, and requests the Secretary-General to identify, announce and report on the expected results of his campaign;

7. *Strongly condemns* all acts of violence against women and girls, whether these acts are perpetrated by the State, by private persons or by non-State actors, and calls for the elimination of all forms of gender-based violence in the family, within affective relationships, within the general community and where perpetrated or condoned by the State;

8. *Stresses* that it is important that States strongly condemn all forms of violence against women and refrain from invoking any custom, tradition or religious consideration to avoid their obligations with respect to its elimination as set out in the Declaration on the Elimination of Violence against Women;[2]

9. *Stresses also* that States have the obligation to promote and protect all human rights and fundamental freedoms of women and girls and must exercise due diligence to prevent, investigate, prosecute and punish the perpetrators of violence against women and girls and to provide protection to the victims, and that failure to do so violates and impairs or nullifies the enjoyment of their human rights and fundamental freedoms;

10. *Urges* States to end impunity for violence against women, by prosecuting and punishing all perpetrators, by ensuring that women have equal protection of the law and equal access to justice and by holding up to public scrutiny and eliminating those attitudes that foster, justify or tolerate violence;

11. *Stresses* the need for the exclusion of crimes involving sexual violence from amnesty provisions in the context of conflict resolution processes;

12. *Stresses also* that States should take measures to ensure that all officials responsible for implementing policies and programmes aimed at preventing violence against women, protecting and assisting the victims and investigating and punishing violence against women, receive proper training to sensitize them to the needs of

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[8] A/63/214.

[9] A/63/216.

[10] A/HRC/7/6.

women, in particular women who have been subject to violence, so that women are not re-victimized when seeking justice and redress;

13. *Stresses further* that States should take all possible measures to empower women and inform them of their rights in seeking redress through mechanisms of justice, inform everyone of women's rights and of the existing penalties for violating those rights, and engage men and boys as well as the family as agents of change in preventing and condemning violence against women;

14. *Urges* States, in their continuing efforts to eliminate all forms of violence against women, to adopt a comprehensive and sustained approach aimed at ending impunity and a culture of tolerance towards violence against women, by using best practices in the field of legislation, prevention, law enforcement and victim protection, assistance and rehabilitation, such as:

(a) Establishing, in partnership with all relevant stakeholders, a comprehensive integrated national plan dedicated to combating violence against women in all it aspects, which includes data collection and analysis, prevention and protection measures and national information campaigns using resources to eliminate in the media gender stereotypes that lead to violence against women and girls;

(b) Reviewing and, where appropriate, revising, amending or abolishing all laws, regulations, policies, practices and customs that discriminate against women or have a discriminatory impact on women, and ensuring that provisions of multiple legal systems, where they exist, comply with international human rights obligations, commitments and principles, including the principle of non-discrimination;

(c) Evaluating and assessing the impact of current legislation, rules and procedures regarding violence against women, including the reasons for low reporting, and, where necessary, reinforcing criminal law and procedure relating to all forms of violence against women;

(d) Ensuring that there is sufficient knowledge, awareness and coordination in the legal system and, to that end, appointing a focal point in the legal system for cases of violence against women;

(e) Ensuring the systematic collection and analysis of data to monitor all forms of violence against women, while ensuring and maintaining the privacy and confidentiality of victims, including with the involvement of national statistical offices and, where appropriate, in partnership with other actors;

(f) Establishing appropriate national mechanisms for monitoring and evaluating implementation of measures taken to eliminate violence against women and girls, including through the use of national indicators;

(g) Providing adequate financial support for the implementation of national action plans to end violence against women and other relevant activities;

(h) Allocating adequate resources to promote the empowerment of women and gender equality and to prevent and redress all forms and manifestations of violence against women;

(i) Treating all forms of violence against women and girls as a criminal offence, punishable by law, and ensuring penal, civil, labour and administrative sanctions in domestic legislation to punish and redress the wrongs caused to women

who are subjected to violence and imposing penalties commensurate with the severity of the crime;

(j) Ensuring that perpetrators may be prosecuted by the public prosecutor independently of the victim's consent;

(k) Ensuring that effective legal assistance is available to all female victims of violence so that they can make informed decisions regarding, inter alia, legal proceedings and issues related to family law, and also ensuring that victims have access to just and effective remedies for the harm that they have suffered;

(l) Ensuring that all relevant officials coordinate effectively to prevent, investigate, prosecute and punish all forms of violence against women, and provide protection and support to victims;

(m) Developing or improving and disseminating specialized training programmes, including checklists, risk assessment tools and good practice guidelines on how to assist victims and how to deal with cases of violence against women for police officers, the judiciary, health workers, law enforcement personnel and other relevant public authorities;

(n) Strengthening national health and social infrastructure to reinforce measures to promote women's equal access to public health and address the health consequences of violence against women, including by providing support to victims;

(o) Establishing or supporting integrated centres in which shelter, legal, health, psychological, counselling and other services are provided to victims of all forms of violence against women in order to make remedies better accessible and to facilitate the physical, psychological and social recovery of victims, and ensuring that victims have access to such centres;

(p) Ensuring adequate and comprehensive rehabilitation and reintegration of victims of violence into society;

(q) Ensuring that prisons and probation services provide appropriate rehabilitation programmes for perpetrators, as a preventive tool to avoid recidivism;

(r) Supporting activities by civil society to end violence against women;

15. *Stresses* the important role of the International Criminal Court and the ad hoc international criminal tribunals in ending impunity through ensuring accountability and punishing perpetrators of violence against women, and urges States to ratify or accede to the Rome Statute,[7] which entered into force on 1 July 2002;

16. *Welcomes* the steps taken by several United Nations bodies to discuss, within their respective mandates, the question of violence of women in all its forms and manifestations, and encourages all relevant bodies to continue to address this issue in their future efforts and work programmes;

17. *Calls upon* the international community, including the United Nations system and, as appropriate, regional and subregional organizations, to support national efforts to promote the empowerment of women and gender equality in order to enhance national efforts to eliminate violence against women and girls, including, upon request, in the development and implementation of national action plans on the elimination of violence against women and girls, through, inter alia, and taking into

account, national priorities, official development assistance and other appropriate assistance, such as facilitating the sharing of guidelines, methodologies and best practices;

18. *Reiterates* its request to the Inter-Agency Network on Women and Gender Equality to consider ways and means to enhance the effectiveness of the United Nations Trust Fund in Support of Actions to Eliminate Violence against Women as a system-wide funding mechanism for preventing and redressing all forms of violence against women and girls;

19. *Calls upon* all United Nations bodies, entities, funds and programmes and the specialized agencies and invites the Bretton Woods institutions to intensify their efforts at all levels to eliminate all forms of violence against women and girls and to better coordinate their work, inter alia through the Task Force on Violence against Women of the Inter-Agency Network on Women and Gender Equality;

20. *Requests* the Secretary-General to include in his annual report to be submitted to the General Assembly at its sixty-fourth session:

(a) Information provided by States on their follow-up activities to implement the present resolution;

(b) Information provided by the United Nations bodies, funds and programmes and the specialized agencies on their follow-up activities to implement General Assembly resolutions 61/143 and 62/133;

21. *Also requests* the Secretary-General to present an oral report to the Commission on the Status of Women at its fifty-third session with information provided by the United Nations bodies, funds and programmes and the specialized agencies on recent follow-up activities to implement resolution 61/143 and resolution 62/133, including on the progress made on enhancing the effectiveness, as a United Nations system-wide mechanism, of the United Nations Trust Fund in Support of Actions to Eliminate Violence against Women, and urges United Nations bodies, entities, funds and programmes and the specialized agencies to contribute promptly to that report;

22. *Decides* to continue the consideration of this question at its sixty-fourth session under the item on advancement of women.

United Nations A/C.3/63/L.13

General Assembly

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Sixty-third session
Third Committee
Agenda item 56 (a)
Advancement of women

Philippines: draft resolution

Trafficking in women and girls

The General Assembly,

Recalling all international conventions that deal specifically with the problem of trafficking in women and girls, such as the Convention on the Elimination of All Forms of Discrimination against Women[1] and the Optional Protocol thereto,[2] the Convention on the Rights of the Child[3] and the Optional Protocol thereto on the sale of children, child prostitution and child pornography,[4] the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others,[5] the United Nations Convention against Transnational Organized Crime[6] and the Protocols thereto, in particular the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime[7] and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime,[8] as well as previous resolutions of the General Assembly, the Economic and Social Council and its functional commissions on the issue,

Reaffirming the provisions pertaining to trafficking in women and girls contained in the outcome documents of relevant international conferences and summits, in particular the strategic objective on the issue of trafficking contained in

[1] United Nations, *Treaty Series*, vol. 1249, No. 20378.
[2] Ibid., vol. 2131, No. 20378.
[3] Ibid., vol. 1577, No. 27531.
[4] Ibid., vol. 2171, No. 27531.
[5] Ibid., vol, 96, No. 1342.
[6] Resolution 55/25, annex I.
[7] Ibid., annex II.
[8] Ibid., annex III.

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the Beijing Declaration and Platform for Action adopted by the Fourth World Conference on Women,[9]

Reaffirming also the commitment made by world leaders at the Millennium Summit and the 2005 World Summit to devise, enforce and strengthen effective measures to combat and eliminate all forms of trafficking in persons to counter the demand for trafficked victims and to protect the victims,

Recalling the reports of the Special Rapporteur on the sale of children, child prostitution and child pornography, the Special Rapporteur on trafficking in persons, especially women and children, and the Special Rapporteur on violence against women, its causes and consequences, as well as the information that deals with trafficking in women and girls contained in the report of the Secretary-General on the in-depth study on all forms of violence against women,[10]

Taking note of the Vienna Forum against Trafficking in Persons in the framework of the United Nations Global Initiative to Fight Human Trafficking, held from 13 to 15 February 2008, and of the thematic debate on the issue of trafficking in persons in the framework of the General Assembly on 3 June 2008,

Welcomes the renewal of the mandate of the Special Rapporteur of the Human Rights Council on trafficking in persons, especially women and children, and her task, inter alia, of identifying gender- and age-specific vulnerabilities in relation to the issue of trafficking in persons,

Acknowledging the inclusion of gender-related crimes in the Rome Statute of the International Criminal Court,[11] which entered into force on 1 July 2002,

Bearing in mind that all States have an obligation to exercise due diligence to prevent, investigate and punish perpetrators of trafficking in persons, to rescue victims as well as provide for their protection and that not doing so violates and impairs or nullifies the enjoyment of the human rights and fundamental freedoms of the victims,

Seriously concerned that an increasing number of women and girls from developing countries and from some countries with economies in transition are being trafficked to developed countries, as well as within and between regions and States, and that men and boys are also victims of trafficking, including for sexual exploitation,

Recognizing that many of the existing efforts against trafficking in persons lack the gender- and age-sensitivity needed to address effectively the situation of women and girls who are particularly vulnerable to trafficking for the purposes of sexual exploitation, as well as for forced labour or services,

Recognizing also the need to address the impact of globalization on the particular problem of trafficking in women and children, in particular girls,

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[9] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[10] A/61/122 and Add.1 and Add.1/Corr.1.

[11] United Nations, *Treaty Series*, vol. 2187, No. 38544.

Recognizing further the challenges to combating trafficking in women and girls owing to the lack of adequate legislation and implementation of existing legislation, the lack of availability of reliable sex-disaggregated data and statistics, and the lack of resources,

Concerned about the use of new information technologies, including the Internet, for purposes of exploitation of the prostitution of others, for trafficking in women as brides, for sex tourism exploiting women and children and for child pornography, paedophilia and any other forms of sexual exploitation of children,

Concerned also about the increasing activities of transnational criminal organizations and others that profit from international trafficking in persons, especially women and children, without regard to dangerous and inhuman conditions and in flagrant violation of domestic laws and international standards,

Recognizing that victims of trafficking are particularly exposed to racism, racial discrimination, xenophobia and related intolerance and that women and girl victims are often subject to multiple forms of discrimination and violence, including on the grounds of their gender, age, ethnicity, culture and religion, as well as their origins, and that these forms of discrimination themselves may fuel trafficking in persons,

Gravely concerned that some of the demand for prostitution and forced labour is met by trafficking in persons, exploiting the vulnerability of women and girls in particular,

Acknowledging that women and girl victims of trafficking, on account of their gender, are further disadvantaged and marginalized by a general lack of information or awareness and recognition of their human rights and by the stigmatization often associated with trafficking, as well as by the obstacles they meet in gaining access to information and recourse mechanisms in cases of violation of their rights, and that special measures are required for their protection and to increase their awareness,

Recognizing the importance of bilateral, subregional, regional and international cooperation mechanisms and initiatives, including information exchanges on best practices, of Governments and intergovernmental and non-governmental organizations to address the problem of trafficking in persons, especially women and children,

Recognizing also that global efforts, including international cooperation and technical assistance programmes, to eradicate trafficking in persons, especially women and children, demand the strong political commitment, shared responsibility and active cooperation of all Governments of countries of origin, transit and destination,

1. *Welcomes* the efforts of Governments, United Nations bodies and agencies and intergovernmental and non-governmental organizations to address the particular problem of trafficking in women and girls, and encourages them to enhance their efforts and cooperation, including by sharing their knowledge, technical expertise and best practices as widely as possible;

2. *Calls upon* Governments to eliminate the demand that fosters the trafficking of women and girls for sexual exploitation, forced labour or other services, and all other forms of exploitation, including by, inter alia, publicizing the

laws, regulations and penalties relating to trafficking as a serious crime, and enhancing the accountability of potential buyers and users of the services of trafficked women and girls;

3. *Also calls upon* Governments to take appropriate measures to address the factors that increase vulnerability to being trafficked, including poverty and gender inequality, as well as other factors that encourage the particular problem of trafficking in women and girls for prostitution and other forms of commercialized sex, forced marriage and forced labour, in order to prevent and eliminate such trafficking, including by strengthening existing legislation with a view to providing better protection of the rights of women and girls and to punishing perpetrators, through both criminal and civil measures;

4. *Urges* Governments to develop, enforce and strengthen effective gender- and age-sensitive measures to prevent, combat and eliminate all forms of trafficking in women and girls, including for sexual and economic exploitation, to rehabilitate and reintegrate victims of trafficking as part of a comprehensive anti-trafficking strategy that integrates a human rights perspective, and to draw up, as appropriate, national action plans in this regard;

5. *Also urges* Governments, in cooperation with intergovernmental and non-governmental organizations, to support and allocate resources to strengthen preventive action, in particular education for women and men, as well as for boys and girls, on gender equality, self-respect and mutual respect, and campaigns, carried out in collaboration with civil society, to increase public awareness of the issue at the national and grass-roots levels;

6. *Further urges* Governments to develop educational and training programmes and policies and consider enacting legislation and other appropriate measures aimed at preventing sex tourism and trafficking, giving special emphasis to the protection of young women and children;

7. *Also urges* Governments to consider signing and ratifying and States parties to implement relevant United Nations legal instruments, such as the United Nations Convention against Transnational Organized Crime[6] and the Protocols thereto, in particular the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[7] the Convention on the Elimination of All Forms of Discrimination against Women,[1] the Convention on the Rights of the Child,[3] the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women[2] and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography,[4] as well as the Convention concerning Forced or Compulsory Labour, 1930 (Convention No. 29), the Convention concerning Discrimination in respect of Employment and Occupation, 1958 (Convention No. 111) and the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (Convention No. 182), of the International Labour Organization;

8. *Encourages* Member States to enhance cooperation, including by entering into bilateral, subregional, regional and international agreements, as well as

to undertake initiatives, including regional initiatives,[12] to, inter alia, enhance information sharing, data collection and other technical capacities, and combating corruption and laundering of proceeds derived from trafficking, including for purposes of commercialized sexual exploitation, and to ensure that such agreements and initiatives are particularly sensitive to the problem of trafficking as it affects women and girls;

9. *Calls upon* all Governments to criminalize all forms of trafficking in persons, recognizing its increasing occurrence for purposes of sexual exploitation and sex tourism, by penalizing the offenders and intermediaries involved, whether local or foreign, through the competent national authorities, either in the country of origin of the offender or in the country in which the abuse occurs, in accordance with due process of law, as well as to penalize persons in authority found guilty of sexually assaulting victims of trafficking in their custody;

10. *Urges* Governments to take all appropriate measures to ensure that victims of trafficking are not penalized for being trafficked or for their illegal entry or residence resulting from being trafficked, and that they do not suffer from revictimization brought about by arbitrary or long detention, forced expulsion, a ban on return to or work in the country where the abuse occurred, or other aggravating actions taken by government authorities;

11. *Also invites* Governments to consider setting up or strengthening a national coordinating mechanism, for example, a national rapporteur or an inter-agency body, with the participation of civil society, including non-governmental organizations, to encourage the exchange of information and to report on data, root causes, factors and trends in violence against women, in particular trafficking;

12. *Calls upon* concerned Governments to allocate resources, as appropriate, to provide comprehensive programmes for the physical, psychological and social recovery of victims of trafficking, including through job training, legal assistance, including in a language that they can understand, and health care, including for HIV/AIDS, and by taking measures to cooperate with intergovernmental and non-governmental organizations to provide for the social, medical and psychological care of the victims;

13. *Encourages* Governments, in cooperation with intergovernmental and non-governmental organizations, to undertake or strengthen campaigns aimed at clarifying opportunities, limitations and rights in the event of migration, as well as information on the risks of irregular migration and the ways and means used by

[12] Such as the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime, the Coordinated Mekong Ministerial Initiative against Trafficking, the Action Plan for the Asia-Pacific region of the Asian Regional Initiative against Trafficking in Persons, Especially Women and Children (see A/C.3/55/3, annex), the initiatives of the European Union on a comprehensive European policy and programmes on trafficking in human beings, as expressed most recently in the European Union plan on best practices, standards and procedures for combating and preventing trafficking in human beings, adopted in December 2005, the activities of the Council of Europe and the Organization for Security and Cooperation in Europe, the South Asian Association for Regional Cooperation Convention on Preventing and Combating Trafficking in Women and Children for Prostitution, the Organization of American States Meeting of National Authorities on Trafficking in Persons, and the activities of the International Labour Organization and the International Organization for Migration in this field.

traffickers so as to enable women to make informed decisions and to prevent them from becoming victims of trafficking;

14. *Also encourages* Governments to intensify collaboration with non-governmental organizations to develop and implement gender- and age-sensitive programmes for effective counselling, training and reintegration into society of victims of trafficking and programmes that provide shelter and helplines to victims or potential victims;

15. *Urges* Governments to provide or strengthen training for law enforcement, judicial, immigration and other relevant officials in the prevention and combating of trafficking in persons, including the sexual exploitation of women and girls, and in this regard calls upon Governments to ensure that the treatment of victims of trafficking, especially by law enforcers, immigration officers, consular officials, social workers and other first-response officials, is conducted with full respect for the human rights of those victims, and with gender- and age-sensitivity, and observes the principles of non-discrimination, including the prohibition of racial discrimination;

16. *Invites* Governments to take steps to ensure that criminal justice procedures and witness protection programmes are sensitive to the particular situation of trafficked women and girls and that they are supported and assisted, as appropriate, in making complaints to the police or other authorities, without fear, and being available when required by the criminal justice system, and to ensure that during this time they have access to gender- and age-sensitive protection and social, medical, financial and legal assistance, as appropriate, including the possibility of obtaining compensation for damages suffered;

17. *Also invites* Governments to encourage media providers, including Internet service providers, to adopt or strengthen self-regulatory measures to promote the responsible use of media, particularly the Internet, with a view to eliminating the exploitation of women and children, in particular girls, which could foster trafficking;

18. *Invites* the business sector, in particular the tourism and telecommunications industries, including mass media organizations, to cooperate with Governments in eliminating trafficking in women and children, in particular girls, including through the dissemination by the media of information regarding the dangers of trafficking, the rights of trafficked persons and the services available to victims of trafficking;

19. *Stresses* the need for the systematic collection of sex- and age-disaggregated data and comprehensive studies at both the national and the international levels and the development of common methodologies and internationally defined indicators to make it possible to develop relevant and comparable figures, and encourages Governments to enhance information-sharing and data-collection capacity as a way of promoting cooperation to combat the trafficking problem;

20. *Invites* Governments, United Nations bodies, agencies and special mechanisms, intergovernmental and non-governmental organizations and the private sector to undertake collaborative and joint research and studies on trafficking in women and girls that can serve as a basis for policy formulation or change;

21. *Also invites* Governments, with the support of the United Nations, when necessary, and other intergovernmental organizations, taking into account best practices, to formulate training manuals and other informational materials and provide training for law enforcement, judicial and other relevant officers, and medical and support personnel, with a view to sensitizing them to the special needs of women and girl victims;

22. *Encourages* Governments, relevant intergovernmental bodies and international organizations to ensure that military, peacekeeping and humanitarian personnel deployed in conflict, post-conflict and other emergency situations are provided training on conduct that does not promote, facilitate or exploit trafficking in women and girls, including for sexual exploitation, and to raise the awareness of such personnel of the potential risks to victims of conflict and other emergency situations, including natural disasters, of being trafficked;

23. *Invites* States parties to the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the International Covenants on Human Rights[13] to include information and statistics on trafficking in women and girls as part of their national reports to their respective committees and to work towards developing a common methodology and statistics to obtain comparable data;

24. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fifth session a report that identifies successful interventions and strategies, as well as the gaps, in addressing the gender dimensions of the problem of trafficking in persons, and provides recommendations on the strengthening of gender- and age-sensitive approaches in the various aspects of addressing trafficking in persons.

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[13] Resolution 2200 A (XXI), annex.

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Advancement of women

Antigua and Barbuda:* draft resolution

Future operation of the International Research and Training Institute for the Advancement of Women

The General Assembly,

Recalling all of its previous resolutions on the situation of the International Research and Training Institute for the Advancement of Women, in particular resolutions 55/219 of 23 December 2000, 56/125 of 19 December 2001, 57/175 of 18 December 2002, 58/244 of 23 December 2003, 59/260 of 23 December 2004 and 60/229 of 23 December 2005,

Recalling also Economic and Social Council resolution 2007/37 of 27 July 2007, in which the Council reaffirmed the specific mandate of the Institute to conduct research and training for gender equality and the empowerment of women as a central focal point for research and training on gender issues within the United Nations system,

Taking into account Commission on the Status of Women resolution 52/3 of 7 March 2008, entitled "Strengthening of the International Research and Training Institute for the Advancement of Women",[1]

Welcoming the contributions of the Institute to the implementation of the Beijing Declaration and Platform for Action[2] and the outcome document of the twenty-third special session of the General Assembly,[3]

* On behalf of the States Members of the United Nations that are members of the Group of 77 and China.

[1] See *Official Records of the Economic and Social Council, 2008, Supplement No. 7* (E/2008/27), chap. I, sect. D.

[2] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[3] Resolution S-23/3, annex.

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Taking note with appreciation of the progress report on the Institute by its Director with respect to the implementation of the programme of work for the period from 15 May to 30 September 2008,[4] which measures progress through the utilization of indicators of achievement as established in the workplan for 2008,[5]

Welcoming the approval by the Executive Board of the Institute of the revised workplan for 2008 and its endorsement of the operational budget for 2008,[6]

Acknowledging the contributions of the Institute in promoting gender equality and the empowerment of women in the areas of security, international migration, in particular remittances and development, and governance and political participation,

Recognizing the contribution of the Institute to the ongoing efforts in gender mainstreaming through its research and training outputs involving national gender machineries, academic institutes, regional intergovernmental organizations, non-governmental organizations and the private sector,

Reaffirming the importance of seeking medium-term sustainable financial resources for the Institute,

Welcoming the activities undertaken by the Director of the Institute to actively promote a fund-raising strategy for the Institute,

Expressing its satisfaction with the progress of the Institute in the area of resource mobilization, which has enabled the Institute to fully reimburse the amount committed by the Secretary-General on an exceptional basis from the United Nations regular budget, and recognizing the improved financial standing of the Institute,

Calling for the diversification of funding resources and, in this regard, invites Member States to continue to provide assistance and support to the Institute through voluntary contributions and substantive involvement in its projects and activities,

Recognizing that the implementation of the programme of work and strategic plan of the Institute will contribute to a comprehensive discussion on international migration and development from a gender perspective,

1. *Requests* the International Research and Training Institute for the Advancement of Women, in accordance with its mandate, to coordinate further its activities and to develop its programme of work in collaboration with other relevant United Nations entities, such as the United Nations Development Fund for Women, the Office of the Special Adviser on Gender Issues and Advancement of Women, the Division for the Advancement of Women of the Department of Economic and Social Affairs of the Secretariat, the Commission on the Status of Women and the Committee on the Elimination of Discrimination against Women, and calls upon those entities to continue their collaborative efforts;

2. *Also requests* the Institute, in accordance with its mandate, to collaborate with the United Nations system, national machinery, non-governmental organizations and the private sector in promoting international cooperation to foster women's empowerment and gender equality, including through, inter alia, the

[4] INSTRAW/EB/2008/R.13.

[5] INSTRAW/EB/2007/R.4/Rev.1.

[6] See INSTRAW/EB/2007/R.14, para. 6.

promotion of better access to education for women and girls and the mainstreaming of a gender perspective in all policies and programmes;

3. *Further requests* the Institute, in accordance with its mandate and in close coordination with the United Nations Population Fund, the United Nations Children's Fund and other relevant United Nations programmes and funds, to actively participate in and contribute to discussions on issues related to international migration and development;

4. *Invites* the Institute to continue, in close cooperation with other relevant United Nations bodies, to promote and undertake research and training programmes on gender mainstreaming, in the context of the Beijing Declaration and Platform for Action,[2] as well as the commitments made at the twenty-third special session of the General Assembly;[3]

5. *Requests* the Institute, within its mandate, to continue to assist countries in promoting and supporting the political participation and economic and social advancement of women through training programmes;

6. *Stresses* the critical importance of voluntary financial contributions by Member States to the United Nations Trust Fund for the International Research and Training Institute for the Advancement of Women to enable it to carry out its mandate;

7. *Invites* Member States to make voluntary contributions to the Trust Fund;

8. *Looks forward* to the enhanced implementation of the strategic plan of the Institute under the leadership of the new Director, to be appointed shortly by the Secretary-General;

9. *Requests* the Secretary-General to report to the General Assembly at its sixty-fourth session on the implementation of the present resolution.

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Advancement of women

Angola, Antigua and Barbuda, Belgium, Botswana, Brazil, Burkina Faso, Burundi, Cameroon, Cape Verde, Chile, Côte d'Ivoire, Democratic Republic of the Congo, Equatorial Guinea, Ethiopia, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Iceland, Indonesia, Israel, Jamaica, Kenya, Luxembourg, Malawi, Mali, Mauritania, Morocco, Mozambique, Niger, Nigeria, Paraguay, Saudi Arabia, Senegal, Seychelles, South Africa, Sudan, Swaziland, Switzerland, Tunisia, Uganda and United Republic of Tanzania: draft resolution

Supporting efforts to end obstetric fistula

The General Assembly,

Recalling its resolution 62/138 of 18 December 2007 on supporting efforts to end obstetric fistula,

Reaffirming the Beijing Declaration and Platform for Action,[1] the outcome of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century",[2] and the declaration adopted at the forty-ninth session of the Commission on the Status of Women,[3]

Reaffirming also the international commitments in the field of social development and to gender equality and the advancement of women made at the World Conference on Human Rights, the International Conference on Population and Development, the World Summit for Social Development and the World Conference against Racism, Racial Discrimination, Xenophobia and Related

[1] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[2] Resolution S-23/2, annex, and resolution S-23/3, annex.

[3] See *Official Records of the Economic and Social Council, 2005, Supplement No. 7* and corrigendum (E/2005/27 and Corr.1), chap. I, sect. A; see also Economic and Social Council decision 2005/232.

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Intolerance, as well as those made in the United Nations Millennium Declaration[4] and at the 2005 World Summit,[5]

Reaffirming further the Convention on the Elimination of All Forms of Discrimination against Women[6] and the Convention on the Rights of the Child,[7] and urging States that have not done so to consider, as a matter of priority, signing, ratifying or acceding to these Conventions and the Optional Protocols thereto,[8]

Stressing the interlinkages between poverty, malnutrition, lack of or inadequate or inaccessible health services, early childbearing, early marriage of the girl child, violence against young women and girls and gender discrimination as root causes of obstetric fistula, and that poverty remains the main social risk factor,

Recognizing that the difficult socio-economic conditions that exist in many developing countries, in particular the least developed countries, have resulted in the acceleration of the feminization of poverty,

Recognizing also that early pregnancy and early childbearing entail complications during pregnancy and delivery and a much higher risk of maternal mortality and morbidity, and deeply concerned that early childbearing and limited access to the highest attainable standard of health, including sexual and reproductive health, including in the area of emergency obstetric care, cause high levels of obstetric fistula and other maternal morbidities as well as maternal mortality,

Recognizing further the serious immediate and long-term implications for health, including sexual and reproductive health, as well as increased vulnerability to HIV/AIDS, and the negative impact on psychological, social and economic development, that violence against the girl child and adolescent girls represents for individuals, families, communities and States,

Deeply concerned about discrimination against the girl child and the violation of the rights of the girl child, which often result in less access by girls to education, nutrition and physical and mental health and in enjoyment by girls of fewer of the rights, opportunities and benefits of childhood and adolescence compared with boys and their often being subjected to various forms of cultural, social, sexual and economic exploitation and to violence and harmful practices,

Welcoming the contribution by Member States, the international community and civil society to the global Campaign to End Fistula, bearing in mind that a people-centred approach to social and economic development is fundamental for protecting and empowering individuals and communities,

1. *Recognizes* the interlinkages between poverty, malnutrition, lack of or inadequate or inaccessible health services, early childbearing, early marriage of the girl child and gender discrimination as root causes of obstetric fistula, that poverty remains the main social risk factor, that the eradication of poverty is critical to meeting the needs and protecting and promoting the rights of women and girls and that continued urgent national and international action is required to eliminate it;

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[4] See resolution 55/2.

[5] See resolution 60/1.

[6] United Nations, *Treaty Series*, vol. 1249, No. 20378.

[7] Ibid., vol. 1577, No. 27531.

[8] Ibid., vol. 2131, No. 20378; and ibid., vols. 2171 and 2173, No. 27531.

2. *Stresses* the need to address the social issues that contribute to the problem of obstetric fistula, such as early marriage of the girl child, early pregnancy, lack of access to sexual and reproductive health, lack of or inadequate education of women and girls, poverty and low status of women and girls;

3. *Also stresses* that States have the obligation to promote and protect all human rights and fundamental freedoms of women and girls, that they must exercise due diligence in order to prevent, investigate and punish the perpetrators of violence against women and girls and to provide protection to the victims, and that failure to do so violates and impairs or nullifies the enjoyment of their human rights and fundamental freedoms;

4. *Calls upon* States to take all necessary measures to ensure the right of women and girls to the enjoyment of the highest attainable standard of health, including sexual and reproductive health, and develop sustainable health systems and social services, with a view to ensuring access to such systems and services without discrimination, while paying special attention to adequate food and nutrition, water and sanitation, family planning information, increasing knowledge and awareness and securing appropriate prenatal and post-natal care for the prevention of obstetric fistula;

5. *Also calls upon* States to ensure that women and girls have equal access to free and compulsory primary education of good quality and that they complete their education at that level, and to renew their efforts to improve and expand girls' and women's education at all levels, including at the secondary and higher levels, as well as vocational education and technical training, in order to, inter alia, achieve gender equality, the empowerment of women and poverty eradication;

6. *Urges* States to enact and strictly enforce laws to ensure that marriage is entered into only with the free and full consent of the intending spouses and, in addition, to enact and strictly enforce laws concerning the minimum legal age of consent and the minimum age for marriage, and to raise the minimum age for marriage where necessary;

7. *Calls upon* the international community to support the activities of the United Nations Population Fund and other partners in the global Campaign to End Fistula, including the World Health Organization, in establishing and financing regional fistula treatment and training centres by identifying and supporting health facilities that have the potential to serve as centres for treatment, training and convalescent care;

8. *Calls upon* States and/or the relevant funds and programmes, organs and specialized agencies of the United Nations system, within their respective mandates, and invites the international financial institutions and all relevant actors of civil society, including non-governmental organizations, and the private sector:

(a) To redouble their efforts to meet the internationally agreed goal of improving maternal health by increasing access to skilled attendance at birth and emergency obstetric care, and appropriate prenatal and post-natal care;

(b) To develop, implement and support national and international prevention, care and treatment and reintegration and support strategies, as appropriate, to address effectively the condition of obstetric fistula and to develop further a multisectoral, multidisciplinary, comprehensive and integrated approach in order to

bring about lasting solutions and put an end to obstetric fistula, maternal mortality and related morbidities, including through ensuring access to affordable, comprehensive, quality maternal health-care services, including skilled birth attendance and emergency obstetric care;

(c) To strengthen the capacity of health systems to provide the essential services needed to prevent obstetric fistula and to treat those cases that do occur by providing the continuum of services, including family planning, prenatal care, skilled birth attendance, emergency obstetric care and post-partum care, to young women and girls, including those living in poverty and in underserved rural areas where obstetric fistula is most common;

(d) To strengthen research, monitoring and evaluation systems, including community-based notification of obstetric fistula cases and maternal and newborn deaths, to guide the implementation of maternal health programmes;

(e) To provide essential health services, equipment and supplies and skills training and income-generating projects to women and girls so that they can break out of a cycle of poverty;

(f) To mobilize funding to provide free or subsidized fistula repairs, including through encouraging more networking among providers and the sharing of new treatment techniques and protocols;

(g) To provide health education, rehabilitation and reintegration counselling, including medical counselling, as key components of post-operative care;

(h) To bring obstetric fistula to the attention of policymakers and communities, thereby reducing the stigma and discrimination associated with it and helping women and girls suffering from obstetric fistula so that they can overcome abandonment and social exclusion together with the psychosocial implications thereof, inter alia, through the support of social reintegration projects;

(i) To educate individual women and men, girls and boys, communities, policymakers and health professionals about how obstetric fistula can be prevented and treated and increase awareness of the needs of pregnant women and girls, including their right to the highest attainable standard of health, through working with community and religious leaders, traditional birth attendants, media, radio stations, influential public figures and policymakers, support the training of doctors, midwives, nurses and other health workers in lifesaving obstetric care, and include training on fistula repair, treatment and care as a standard element of health professionals' training curricula;

(j) To develop means of transportation and financing that enable women and girls to access obstetric care and treatment, and provide incentives and other means to secure the presence in rural areas of qualified health professionals who are able to perform interventions to prevent obstetric fistula;

9. *Encourages* communication and networking among existing fistula centres to facilitate training, research, advocacy and fund-raising and the development and application of relevant standards, including *Obstetric Fistula: Guiding Principles for Clinical Management and Programme Development*, published by the World Health Organization, which provides background information along with principles for developing fistula prevention and treatment strategies and programmes;

10. *Urges* the international community to address the shortages of doctors, midwives, nurses and other health workers trained in lifesaving obstetric care, and of space and supplies, which limit the capacity of most of the fistula centres;

11. *Urges* multilateral donors, and invites international financial institutions, within their respective mandates, and regional development banks to review and implement policies to support national efforts to ensure that a higher proportion of resources reaches young women and girls, in particular in rural and remote areas;

12. *Invites* Member States to contribute to efforts to end obstetric fistula, including, in particular, the United Nations Population Fund global Campaign to End Fistula, with the goal of eliminating obstetric fistula by 2015, in line with the targets of the millennium development goal of improving maternal health;

13. *Requests* the Secretary-General to report to the General Assembly at its sixty-fifth session on the implementation of the present resolution under the item entitled "Advancement of women".

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General Assembly

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Sixty-third session
Third Committee
Agenda item 56 (a)
Advancement of women

Afghanistan, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bangladesh, Barbados, Belgium, Benin, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Chile, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Dominican Republic, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Gambia, Ghana, Germany, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Latvia, Lebanon, Lesotho, Liberia, Lichtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mauritius, Mexico, Mongolia, Monaco, Morocco, Mozambique, Namibia, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Moldova, Romania, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Seychelles, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Switzerland, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Zambia and Zimbabwe: revised draft resolution

Supporting efforts to end obstetric fistula

The General Assembly,

Recalling its resolution 62/138 of 18 December 2007 on supporting efforts to end obstetric fistula,

Reaffirming the Beijing Declaration and Platform for Action,[1] the outcome of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century",[2] and the

[1] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[2] Resolution S-23/2, annex, and resolution S-23/3, annex.

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declaration adopted at the forty-ninth session of the Commission on the Status of Women,[3]

Reaffirming also the international commitments in the field of social development and to gender equality and the advancement of women made at the World Conference on Human Rights, the International Conference on Population and Development, the World Summit for Social Development and the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, as well as those made in the United Nations Millennium Declaration[4] and at the 2005 World Summit,[5]

Reaffirming further the Convention on the Elimination of All Forms of Discrimination against Women[6] and the Convention on the Rights of the Child,[7] and urging States that have not done so to consider, as a matter of priority, signing, ratifying or acceding to these Conventions and the Optional Protocols thereto,[8]

Stressing the interlinkages between poverty, malnutrition, lack of or inadequate or inaccessible health services, early childbearing, early marriage of the girl child, violence against young women and girls and gender discrimination as root causes of obstetric fistula, and that poverty remains the main social risk factor,

Recognizing that the difficult socio-economic conditions that exist in many developing countries, in particular the least developed countries, have resulted in the acceleration of the feminization of poverty,

Recognizing also that early pregnancy and early childbearing entail complications during pregnancy and delivery and a much higher risk of maternal mortality and morbidity, and deeply concerned that early childbearing and limited access to the highest attainable standard of health, including sexual and reproductive health, including in the area of emergency obstetric care, cause high levels of obstetric fistula and other maternal morbidities as well as maternal mortality,

Recognizing further the serious immediate and long-term implications for health, including sexual and reproductive health, as well as increased vulnerability to HIV/AIDS, and the negative impact on psychological, social and economic development, that violence against the girl child and adolescent girls represents for individuals, families, communities and States,

Deeply concerned about discrimination against the girl child and the violation of the rights of the girl child, which often result in less access by girls to education, nutrition and physical and mental health and in enjoyment by girls of fewer of the rights, opportunities and benefits of childhood and adolescence compared with boys and their often being subjected to various forms of cultural, social, sexual and economic exploitation and to violence and harmful practices,

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[3] See *Official Records of the Economic and Social Council, 2005, Supplement No. 7* and corrigendum (E/2005/27 and Corr.1), chap. I, sect. A; see also Economic and Social Council decision 2005/232.

[4] See resolution 55/2.

[5] See resolution 60/1.

[6] United Nations, *Treaty Series*, vol. 1249, No. 20378.

[7] Ibid., vol. 1577, No. 27531.

[8] Ibid., vol. 2131, No. 20378; and ibid., vols. 2171 and 2173, No. 27531.

Welcoming the contribution by Member States, the international community and civil society to the global Campaign to End Fistula, bearing in mind that a people-centred approach to social and economic development is fundamental for protecting and empowering individuals and communities,

1. *Recognizes* the interlinkages between poverty, malnutrition, lack of or inadequate or inaccessible health services, early childbearing, early marriage of the girl child and gender discrimination as root causes of obstetric fistula, that poverty remains the main social risk factor, that the eradication of poverty is critical to meeting the needs and protecting and promoting the rights of women and girls and that continued urgent national and international action is required to eliminate it;

2. *Stresses* the need to address the social issues that contribute to the problem of obstetric fistula, such as early marriage of the girl child, early pregnancy, lack of access to sexual and reproductive health, lack of or inadequate education of women and girls, poverty and low status of women and girls;

3. *Also stresses* that States have the obligation to promote and protect all human rights and fundamental freedoms of women and girls, that they must exercise due diligence in order to prevent, investigate and punish the perpetrators of violence against women and girls and to provide protection to the victims, and that failure to do so violates and impairs or nullifies the enjoyment of their human rights and fundamental freedoms;

4. *Calls upon* States to take all necessary measures to ensure the right of women and girls to the enjoyment of the highest attainable standard of health, including sexual and reproductive health, and develop sustainable health systems and social services, with a view to ensuring access to such systems and services without discrimination, while paying special attention to adequate food and nutrition, water and sanitation, family planning information, increasing knowledge and awareness and securing appropriate prenatal and post-natal care for the prevention of obstetric fistula;

5. *Also calls upon* States to ensure that women and girls have equal access to free and compulsory primary education of good quality and that they complete their education at that level, and to renew their efforts to improve and expand girls' and women's education at all levels, including at the secondary and higher levels, as well as vocational education and technical training, in order to, inter alia, achieve gender equality, the empowerment of women and poverty eradication;

6. *Urges* States to enact and strictly enforce laws to ensure that marriage is entered into only with the free and full consent of the intending spouses and, in addition, to enact and strictly enforce laws concerning the minimum legal age of consent and the minimum age for marriage, and to raise the minimum age for marriage where necessary;

7 *Calls upon* the international community to support the activities of the United Nations Population Fund and other partners in the global Campaign to End Fistula, including the World Health Organization, in establishing and financing regional fistula treatment and training centres by identifying and supporting health facilities that have the potential to serve as centres for treatment, training and convalescent care;

8. *Calls upon* States and/or the relevant funds and programmes, organs and specialized agencies of the United Nations system, within their respective mandates, and invites the international financial institutions and all relevant actors of civil society, including non-governmental organizations, and the private sector:

(a) To redouble their efforts to meet the internationally agreed goal of improving maternal health by making maternal health services and obstetric fistula treatment geographically and financially accessible, including by increasing access to skilled attendance at birth and emergency obstetric care, and appropriate prenatal and post-natal care;

(b) To develop, implement and support national and international prevention, care and treatment and reintegration and support strategies, as appropriate, to address effectively the condition of obstetric fistula and to develop further a multisectoral, multidisciplinary, comprehensive and integrated approach in order to bring about lasting solutions and put an end to obstetric fistula, maternal mortality and related morbidities, including through ensuring access to affordable, comprehensive, quality maternal health-care services, including skilled birth attendance and emergency obstetric care;

(c) To strengthen the capacity of health systems, in particular public health systems, to provide the essential services needed to prevent obstetric fistula and to treat those cases that do occur by providing the continuum of services, including family planning, prenatal care, skilled birth attendance, emergency obstetric care and post-partum care, to young women and girls, including those living in poverty and in underserved rural areas where obstetric fistula is most common;

(d) To strengthen research, monitoring and evaluation systems, including community-based notification of obstetric fistula cases and maternal and newborn deaths, to guide the implementation of maternal health programmes;

(e) To provide essential health services, equipment and supplies and skills training and income-generating projects to women and girls so that they can break out of a cycle of poverty;

(f) To mobilize funding to provide free or subsidized fistula repairs, including through encouraging more networking among providers and the sharing of new treatment techniques and protocols;

(g) To provide health education, rehabilitation and reintegration counselling, including medical counselling, as key components of post-operative care;

(h) To bring obstetric fistula to the attention of policymakers and communities, thereby reducing the stigma and discrimination associated with it and helping women and girls suffering from obstetric fistula so that they can overcome abandonment and social exclusion together with the psychosocial implications thereof, inter alia, through the support of social reintegration projects;

(i) To educate individual women and men, girls and boys, communities, policymakers and health professionals about how obstetric fistula can be prevented and treated and increase awareness of the needs of pregnant women and girls, including their right to the highest attainable standard of health, through working with community and religious leaders, traditional birth attendants, media, radio stations, influential public figures and policymakers, support the training of doctors, midwives, nurses and other health workers in lifesaving obstetric care, and include

training on fistula repair, treatment and care as a standard element of health professionals' training curricula;

(j) To develop means of transportation and financing that enable women and girls to access obstetric care and treatment, and provide incentives and other means to secure the presence in rural areas of qualified health professionals who are able to perform interventions to prevent obstetric fistula;

9. *Encourages* communication and networking among existing fistula centres to facilitate training, research, advocacy and fund-raising and the development and application of relevant standards, including *Obstetric Fistula: Guiding Principles for Clinical Management and Programme Development*, published by the World Health Organization, which provides background information along with principles for developing fistula prevention and treatment strategies and programmes;

10. *Urges* the international community to address the shortages of doctors, midwives, nurses and other health workers trained in lifesaving obstetric care, and of space and supplies, which limit the capacity of most of the fistula centres;

11. *Urges* multilateral donors, and invites international financial institutions, within their respective mandates, and regional development banks to review and implement policies to support national efforts to ensure that a higher proportion of resources reaches young women and girls, in particular in rural and remote areas;

12. *Invites* Member States to contribute to efforts to end obstetric fistula, including, in particular, the United Nations Population Fund global Campaign to End Fistula, with the goal of eliminating obstetric fistula by 2015, in line with the targets of the millennium development goal of improving maternal health;

13. *Requests* the Secretary-General to report to the General Assembly at its sixty-fifth session on the implementation of the present resolution under the item entitled "Advancement of women".

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Sixty-third session
Third Committee
Agenda item 60 (a)
Promotion and protection of the rights of children

Antigua and Barbuda, Argentina, Austria, Bahamas, Barbados, Belgium, Belize, Bolivia, Brazil, Bulgaria, Chile, Colombia, Costa Rica, Cuba, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Germany, Greece, Grenada, Guatemala, Guyana, Haiti, Honduras, Hungary, Ireland, Italy, Jamaica, Latvia, Lithuania, Luxemburg, Malta, Mexico, Netherlands, Nicaragua, Panama, Paraguay, Peru, Poland, Portugal, Romania, Saint Lucia, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Slovakia, Slovenia, Spain, Suriname, Sweden, Trinidad and Tobago, United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela (Bolivarian Republic of): draft resolution

Rights of the Child

The General Assembly,

Recalling its previous resolutions on the rights of the child, the most recent of which is resolution 62/141 of 18 December 2007, and its resolution 62/140 of 18 December 2007, as well as Human Rights Council resolution 7/29 of 28 March 2008,

Emphasizing that the Convention on the Rights of the Child[1] must constitute the standard in the promotion and protection of the rights of the child, and bearing in mind the importance of the Optional Protocols to the Convention,[2] as well as other human rights instruments,

Reaffirming the Vienna Declaration and Programme of Action,[3] the United Nations Millennium Declaration[4] and the outcome document of the twenty-seventh special session of the General Assembly on children, entitled "A world fit for children",[5] and recalling the Copenhagen Declaration on Social Development and

[1] United Nations, *Treaty Series*, vol. 1577, No. 27531.
[2] Ibid., vols. 2171 and 2173, No. 27531.
[3] A/CONF.157/24 (Part I), chap. III.
[4] See resolution 55/2.
[5] Resolution S-27/2, annex.

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the Programme of Action,[6] the Dakar Framework for Action adopted at the World Education Forum,[7] the Declaration on Social Progress and Development,[8] the Universal Declaration on the Eradication of Hunger and Malnutrition,[9] the Declaration on the Right to Development,[10] and the Declaration of the commemorative high-level plenary meeting devoted to the follow-up to the outcome of the special session on children, held on 11 and 12 December 2007,[11]

Recognizing the link between an improved situation for children and achieving the targets of the Millennium Development Goals, in particular those related to education, poverty eradication, gender equality and global partnership for development, and welcomes in this context the outcomes of the High-level Event on the Millennium Development Goals, held in New York on 25 September 2008,

Recognizing also the importance of the integration of child rights issues into the follow-up of the outcome documents of all major United Nations conferences, special sessions and summits,

Taking note with appreciation of the reports of the Secretary-General on progress made towards achieving the commitments set out in the outcome document of the twenty-seventh special session of the General Assembly[12] and on the status of the Convention on the Rights of the Child and the issues raised in Assembly resolution 62/141,[13] as well as the report of the Committee on the Rights of the Child,[14]

Recognizing the importance of incorporating a child-protection perspective across the human rights agenda, as highlighted in the outcome of the 2005 World Summit,[15]

Welcoming the entry into force of the Convention on the Rights of Persons with Disabilities,[16] and taking note with appreciation of the attention paid to children in this international instrument,

Taking note with appreciation of the attention paid to children in the International Convention for the Protection of All Persons from Enforced Disappearance,[17] and expressing the importance of its entry into force,

Noting with appreciation the attention paid to children in the United Nations Declaration on the Rights of Indigenous Peoples,[18]

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[6] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

[7] See United Nations Educational, Scientific and Cultural Organization, *Final Report of the World Education Forum, Dakar, Senegal, 26-28 April 2000* (Paris, 2000).

[8] See resolution 2542 (XXIV).

[9] *Report of the World Food Conference, Rome, 5-16 November 1974* (United Nations publication, Sales No. E.75.II.A.3), chap. I.

[10] Resolution 41/128, annex.

[11] See resolution 62/88.

[12] A/63/308.

[13] A/63/160.

[14] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 41* (A/63/41).

[15] See resolution 60/1, para. 128.

[16] Resolution 61/106, annex I.

[17] Resolution 61/177, annex.

[18] Resolution 61/295, annex.

Profoundly concerned that the situation of children in many parts of the world remains critical, in an increasingly globalized environment, as a result of the persistence of poverty, social inequality, inadequate social and economic conditions, pandemics, in particular HIV/AIDS, malaria and tuberculosis, environmental damage, natural disasters, armed conflict, foreign occupation, displacement, violence, terrorism, abuse, exploitation, trafficking in children and their organs, commercial sexual exploitation of children, child prostitution, child pornography and child sex tourism, neglect, illiteracy, hunger, intolerance, discrimination, racism, xenophobia, gender inequality, disability and inadequate legal protection, and convinced that urgent and effective national and international action is called for,

Reiterating that eradicating poverty is the greatest global challenge facing the world today and an indispensable requirement for sustainable development, in particular for developing countries, and recognizing that chronic poverty remains the single biggest obstacle to meeting the needs of and promoting and protecting the rights of children, and that urgent national and international action is therefore required to eliminate it,

Reaffirming that democracy, development, peace and security, and the full and effective enjoyment of all human rights and fundamental freedoms are interdependent and mutually reinforcing and contribute to the eradication of extreme poverty,

Reaffirming also the need for mainstreaming a gender perspective in all policies and programmes relating to children, and recognizing the child as a rights holder in all policies and programmes relating to children,

I
Implementation of the Convention on the Rights of the Child and the Optional Protocols thereto

1. *Reaffirms* that the general principles of, inter alia, the best interests of the child, non-discrimination, participation and survival and development provide the framework for all actions concerning children, including adolescents;

2. *Urges* States that have not yet done so to become parties to the Convention on the Rights of the Child[1] and the Optional Protocols thereto[2] as a matter of priority and to implement them fully by, inter alia, putting in place effective national legislation, policies and action plans, strengthening relevant governmental structures for children and ensuring adequate and systematic training in the rights of the child for all those working with and for children, as well as ensuring child rights education for children themselves;

3. *Urges* States parties to withdraw reservations that are incompatible with the object and purpose of the Convention or the Optional Protocols thereto and to consider reviewing regularly other reservations with a view to withdrawing them in accordance with the Vienna Declaration and Programme of Action;[3]

4. *Calls upon* States to designate, establish or strengthen governmental structures for children, including, where appropriate, ministers in charge of child issues and independent ombudspersons for children or other institutions for the promotion and protection of the rights of the child;

5. *Welcomes* the work of the Committee on the Rights of the Child, and calls upon all States to strengthen their cooperation with the Committee, to comply in a timely manner with their reporting obligations under the Convention and the Optional Protocols thereto, in accordance with the guidelines elaborated by the Committee, and to take into account its recommendations on the implementation of the Convention;

6. *Notes* the proposal of the Committee on the Rights of the Child regarding its working methods, which is of an exceptional and temporary nature, in order to clear the backlog of reports related to the submission by States parties of their initial reports under the Optional Protocol;

7. *Takes note with appreciation* of the initiatives undertaken by the Committee aimed at promoting a better understanding of and fuller compliance with the rights enshrined in the Convention, namely, through the organization of days of general discussion and the adoption of general comments;

8. *Requests* all relevant organs and mechanisms of the United Nations system regularly and systematically to incorporate a strong child rights perspective throughout all activities in the fulfilment of their mandates, as well as to ensure that their staff are trained in child rights matters, and calls upon States to continue to cooperate closely with all those organs and mechanisms, in particular the special rapporteurs and special representatives of the United Nations system;

9. *Encourages* States to strengthen their national statistical capacities and to use statistics disaggregated, inter alia, by age, gender and other relevant factors that may lead to disparities and other statistical indicators at the national, subregional, regional and international levels to develop and assess social policies and programmes so that economic and social resources are used efficiently and effectively for the full realization of the rights of the child;

II
Promotion and protection of the rights of the child and non-discrimination against children

Non-discrimination

10. *Calls upon* all States:

(a) To ensure the enjoyment by children of all their civil, cultural, economic, political and social rights without discrimination of any kind;

(b) To provide special support and ensure equal access to services for all children, noting with concern the large number of children, particularly girls, belonging to national, ethnic, religious and linguistic minorities, migrant children, refugee children, internally displaced children and children of indigenous origin who are among the victims of racism, racial discrimination, xenophobia and related intolerance, and stressing the need to incorporate special measures, in accordance with the principles of the best interests of the child and respect for his or her views and the child's gender-specific needs, in education programmes and programmes to combat such practices;

(c) To take all necessary and effective measures, including legal reforms where appropriate, to eliminate all forms of discrimination against girls and all forms of violence, including female infanticide and prenatal sex selection, rape, sexual abuse and harmful traditional or customary practices, including female

genital mutilation, early marriage, marriage without the free and full consent of the intending spouses and forced sterilization, by enacting and enforcing legislation and, where appropriate, by formulating comprehensive, multidisciplinary and coordinated national plans, programmes or strategies to protect girls;

(d) To take the necessary measures to ensure the full and equal enjoyment of all human rights and fundamental freedoms by children with disabilities in both the public and the private spheres, including access to good quality education and health care and protection from violence, abuse and neglect, and to develop and, where it already exists, to enforce legislation to prohibit discrimination against them in order to ensure their inherent dignity, promote their self-reliance and facilitate their active participation and integration in the community, taking into account the particularly difficult situation of children with disabilities living in poverty;

11. *Urges* all States to respect and promote the right of girls and boys to express themselves freely, to ensure that their views are given due weight, in accordance with their age and maturity, in all matters affecting them and to involve children, including children with special needs, in decision-making processes, taking into account the evolving capacities of children and the importance of involving children's organizations and child-led initiatives;

12. *Also urges* all States in particular to strengthen the participation of children and adolescents in planning and implementation relating to matters that affect them, such as health, environment, education, social and economic welfare and protection against violence, abuse and exploitation;

Registration, family relations and adoption or other forms of alternative care

13. *Once again urges* all States parties to intensify their efforts to comply with their obligations under the Convention on the Rights of the Child[1] to preserve the child's identity, including nationality, name and family relations, as recognized by law, to allow for the registration of the child immediately after birth, to ensure that registration procedures are simple, expeditious and effective and provided at minimal or no cost and to raise awareness of the importance of birth registration at the national, regional and local levels;

14. *Encourages* States to adopt and enforce laws and improve the implementation of policies and programmes to protect children growing up without parents or caregivers, recognizing that, where alternative care is necessary, family- and community-based care should be promoted over placement in institutions, and in this context invites States to dedicate all their efforts, in a transparent process, with a view to taking possible action on the draft United Nations guidelines for the appropriate use and conditions of alternative care for children at the tenth session of the Human Rights Council;

15. *Calls upon* States to guarantee, to the extent consistent with the obligations of each State, the right of a child whose parents reside in different States to maintain, on a regular basis, save in exceptional circumstances, personal relations and direct contact with both parents by providing enforceable means of access and visitation in both States and by respecting the principle that both parents have common responsibilities for the upbringing and development of their children;

16. *Also calls upon* States to address and pay particular attention to cases of international parental or familial child abduction, and encourages States to engage in

multilateral and bilateral cooperation to resolve these cases, preferably by accession to or ratification of the Hague Convention on the Civil Aspects of International Child Abduction,[19] and therefore to be in full compliance with the Convention, and to facilitate, inter alia, the return of the child to the country in which he or she resided immediately before the removal or retention;

17. *Further calls upon* States to take all necessary measures to prevent and combat illegal adoptions and all adoptions that are not in the best interests of the child;

Economic and social well-being of children

18. *Calls upon* States and the international community to create an environment in which the well-being of the child is ensured, including by strengthening international cooperation in this field;

Eradication of poverty

19. *Calls upon* States to cooperate, support and participate in the global efforts for poverty eradication at the global, regional and country levels, recognizing that strengthened availability and effective allocation of resources are required at all these levels, in order to ensure that all the internationally agreed development and poverty eradication goals, including those set out in the United Nations Millennium Declaration,[4] are realized within their time framework, and reaffirms that investments in children and the realization of their rights are among the most effective ways to eradicate poverty;

20. *Reaffirms* that the primary responsibility for ensuring an enabling environment for securing the well-being of children, in which the rights of each and every child are promoted and respected, rests with each individual State;

21. *Calls upon* all States and the international community to mobilize all necessary resources, support and efforts to eradicate poverty, according to national plans and strategies and in consultation with national Governments, including through an integrated and multifaceted approach based on the rights and well-being of children, and to continue their efforts to realize the internationally agreed development and poverty eradication goals, including the Millennium Development Goals;

Right to education

22. *Recognizes* the right to education on the basis of equal opportunity and non-discrimination by making primary education compulsory and available free to all children, ensuring that all children have access to education of good quality, as well as making secondary education generally available and accessible to all, in particular through the progressive introduction of free education, bearing in mind that special measures to ensure equal access, including affirmative action, contribute to achieving equal opportunity and combating exclusion, and ensuring school attendance, in particular for girls and children from low-income families in order to achieve the objectives of Education for All, with the aim of realizing millennium development goal 2;

[19] United Nations, *Treaty Series*, vol. 1343, No. 22514.

23. *Welcomes* the work of the Special Rapporteur on the Right to Education, takes note of his report on the right to education in emergency situations,[20] and urges Member States to implement strategies for the realization of the right to education as an integral component of humanitarian assistance, with the support of the international community, the United Nations system, donors, multilateral agencies, the private sector, civil society and non-governmental organizations;

Right to the enjoyment of the highest attainable standard of health

24. *Calls upon* States:

(a) To take all necessary measures to ensure the right of the child to the enjoyment of the highest attainable standard of health and to develop sustainable health systems and social services, ensuring access to such systems and services without discrimination, paying special attention to adequate food and nutrition and combating disease and malnutrition, to access to safe drinking water and sanitation, to the special needs of male and female adolescents and to reproductive and sexual health, and securing appropriate prenatal and post-natal care for mothers, including measures to prevent mother-to-child transmission of HIV, and in this context to realize millennium development goals 4, 5 and 6;

(b) To assign priority to developing and implementing activities and programmes aimed at treating and preventing addictions, in particular addiction to alcohol and tobacco, and the abuse of narcotic drugs, psychotropic substances and inhalants;

(c) To support adolescents to be able to deal positively and responsibly with their sexuality in order to protect themselves from HIV/AIDS infection and to implement measures to increase their capacity to protect themselves from HIV/AIDS through, inter alia, the provision of health care, including for sexual and reproductive health, and through preventive education that promotes gender equality;

(d) To develop and implement strategies, policies and programmes that identify and address those factors that make individuals particularly vulnerable to HIV infection in order to complement prevention programmes that address activities that place individuals at risk for HIV infection, such as risky and unsafe behaviour and injecting drug use;

(e) To promote initiatives aimed at reducing the prices of antiretroviral drugs, especially second-line drugs, available to boys and girls, including bilateral and private sector initiatives, as well as initiatives on a voluntary basis taken by groups of States, including those based on innovative financing mechanisms that contribute to the mobilization of resources for social development, especially those that aim to provide further access to drugs at affordable prices to children in developing countries on a sustainable and predictable basis, and in this regard takes note of the International Drug Purchase Facility, UNITAID;

(f) To design and implement programmes to provide social services and support to pregnant adolescents and adolescent mothers, in particular by enabling them and also the adolescent fathers to continue and complete their education;

[20] A/HRC/8/10.

Right to food

25. *Expresses grave concern* at the worsening of the world food crisis, which seriously undermines the realization of the right to food for all, also expresses grave concern that this crisis threatens to further undermine the achievement of the Millennium Development Goals, in particular goal 1, aimed at halving by 2015 the proportion of people who suffer from hunger, including mothers and children, and stresses that solutions need a comprehensive and multifaceted approach requiring short-, medium- and long-term and sustained actions;

26. *Calls upon* all States to take immediate steps to eliminate child hunger, including through the adoption or strengthening of national programmes to address food security and adequate livelihoods, as well as nutritional security, especially regarding vitamin A, iron and iodine deficiencies, the promotion of breastfeeding, as well as programmes that should ensure adequate nutrition for all children;

Elimination of violence against children

27. *Condemns* all forms of violence against children, and urges all States:

(a) To take effective and appropriate legislative and other measures or, where it exists, to strengthen legislation to prohibit and eliminate all forms of violence against children;

(b) To consider taking appropriate measures to assert the right of children to respect for their human dignity and physical integrity and to prohibit and eliminate any emotional or physical violence or any other humiliating or degrading treatment;

(c) To give priority attention to the prevention of all forms of violence against children and to addressing its underlying causes and its gender dimension through a systematic, comprehensive and multifaceted approach;

(d) To protect children from all forms of violence or abuse by all those who work with and for children, including in educational settings, as well as by Government officials, such as the police, law enforcement authorities and employees and officials in detention centres or welfare institutions;

(e) To establish complaint mechanisms that are age-appropriate and accessible to children and to undertake thorough and prompt investigations of all acts of violence and discrimination;

(f) To take measures to ensure that all those who work with and for children protect children from bullying and implement preventive and anti-bullying policies;

(g) To strive to change attitudes that condone or normalize any form of violence against children, including cruel, inhuman or degrading forms of discipline, harmful traditional practices and all forms of sexual violence;

(h) To take measures to promote constructive and positive forms of discipline and child development approaches in all settings, including the home, schools and other educational settings, and throughout care and justice systems;

(i) To end impunity for perpetrators of crimes against children and to investigate and prosecute such acts of violence and impose appropriate penalties, recognizing that persons convicted of violent offences against children, including

sexual abuse, who continue to pose a risk of harm to children should be prevented from working with children;

(j) To establish and develop safe, well-publicized, confidential and accessible mechanisms to enable children, their representatives and others to report violence against children as well as to file complaints in cases of violence against children, and to ensure that all victims of violence have access to appropriate child-sensitive health and social services, paying special attention to the gender-specific needs of girls and boys who are victims of violence;

28. *Expresses deep concern* about the impact of all forms of violence against children, including sexual violence, and reaffirms in this regard its resolutions 61/143 of 19 December 2006, 62/135 and 62/140 of 18 December 2007, 62/206 of 19 December 2007 and 62/214 of 21 December 2007, and notes with appreciation the attention paid to this issue in Security Council resolution 1820 (2008) of 19 June 2008;

29. *Encourages* all States and requests United Nations entities, regional organizations and civil society, including non-governmental organizations, to continue to widely disseminate and follow up on the study on violence against children by the independent expert appointed by the Secretary-General[21] and to cooperate with the Special Representative of the Secretary-General on violence against children in promoting the implementation of the recommendations of the study, while promoting and ensuring country ownership and national plans and programmes in this regard;

30. *Urges* all States to strengthen international cooperation and mutual assistance to prevent and protect children from all forms of violence and to end impunity for crimes against children;

31. *Recognizes* the contribution of the International Criminal Court in ending impunity for the most serious crimes against children, including genocide, crimes against humanity and war crimes, and calls upon States not to grant amnesties for such crimes;

32. *Expresses deep concern* about the delay in the appointment of a new Special Representative on violence against children, as requested by the General Assembly in its resolution 62/141, and requests the Secretary-General to fully comply with the request and to take urgent action to appoint, in accordance with the resolution, at the highest possible level and without delay, a Special Representative;

Promoting and protecting the rights of children, including children in particularly difficult situations

33. *Calls upon* all States to prevent violations of the rights of children working and/or living on the street, including discrimination, arbitrary detention and extrajudicial, arbitrary or summary executions, torture and all kinds of violence and exploitation, and to bring the perpetrators to justice, to adopt and implement policies for the protection, social and psychosocial rehabilitation and reintegration of those children and to adopt economic, social and educational strategies to address the problems of children working and/or living on the street;

[21] See A/62/209.

34. *Also calls upon* all States to protect refugee, asylum-seeking and internally displaced children, taking into account their gender-specific needs, in particular those who are unaccompanied, who are particularly exposed to violence and risks in connection with armed conflict, such as recruitment, sexual violence and exploitation, stressing the need for States as well as the international community to continue to pay more systematic and in-depth attention to the special assistance, protection and development needs of those children through, inter alia, programmes aimed at rehabilitation and physical and psychological recovery, and to programmes for voluntary repatriation and, where appropriate and feasible, local integration and resettlement, to give priority to family tracing and family reunification and, where appropriate, to cooperate with international humanitarian and refugee organizations, including by facilitating their work;

35. *Further calls upon* all States to ensure, for children belonging to minorities and vulnerable groups, including migrant children and indigenous children, the enjoyment of all human rights as well as access to health care, social services and education on an equal basis with others and to ensure that all such children, in particular victims of violence and exploitation, receive special protection and assistance;

36. *Calls upon* all States to ensure that any migration policies, including repatriation mechanisms, be in accordance with the best interests of the child and to take all necessary actions to ensure that unaccompanied migrant children and those who are victims of violence and exploitation receive special protection and assistance in accordance with the Convention on the Rights of the Child;

37. *Also calls upon* all States to address, as a matter of priority, the vulnerabilities faced by children affected by and living with HIV, by providing support and rehabilitation to those children and their families, women and the elderly, particularly in their role as caregivers, promoting child-oriented HIV/AIDS policies and programmes and increased protection for children orphaned and affected by HIV/AIDS, pursuing all necessary efforts towards the goal of universal access to comprehensive prevention programmes, treatment, care and support by 2010 and intensifying efforts to develop new treatments for children, and building, where needed, and supporting the social security systems that protect them;

38. *Further calls upon* all States to protect, in law and in practice, the inheritance and property rights of orphans, with particular attention to underlying gender-based discrimination, which may interfere with the fulfilment of these rights;

39. *Encourages* States to promote actions, including through bilateral and multilateral technical cooperation and financial assistance, for the social reintegration of children in difficult situations, considering, inter alia, views, skills and capacities that those children have developed in the conditions in which they lived and, where appropriate, with their meaningful participation;

40. *Calls upon* States to protect all human rights of children in particularly difficult situations and to ensure that the best interests of the child are accorded primary consideration, and encourages the Committee on the Rights of the Child, the United Nations Children's Fund, other relevant United Nations bodies and human rights mandate-holders, within their respective mandates, to pay particular attention to the conditions of these children in all States and, as appropriate, to make recommendations to strengthen their protection;

41. *Recognizes* that the mass media and their organizations have a key role to play in raising awareness about the situation of children and the challenges facing them and that they should play a more active role in informing children, parents, families and the general public about initiatives that protect and promote the rights of children and should also contribute to educational programmes for children;

Children alleged to have infringed or recognized as having infringed penal law

42. *Calls upon* all States, in particular those States in which the death penalty has not been abolished:

(a) To abolish by law, as soon as possible, the death penalty and life imprisonment without possibility of release for those under the age of 18 years at the time of the commission of the offence;

(b) To comply with their obligations as assumed under relevant provisions of international human rights instruments, including the Convention on the Rights of the Child and the International Covenant on Civil and Political Rights;[22]

(c) To keep in mind the safeguards guaranteeing protection of the rights of those facing the death penalty and the guarantees set out in United Nations safeguards adopted by the Economic and Social Council;

43. *Urges* States to take special measures to protect juvenile offenders, including the provision of adequate legal assistance, the training of judges and prosecutors in juvenile justice, the promotion of universal birth registration and age documentation and the protection of the right of juvenile offenders to maintain contact with their families through correspondence and visits, save in exceptional circumstances;

44. *Calls upon* all States to ensure that no child in detention is sentenced to forced labour or any form of cruel or degrading punishment or is deprived of access to and provision of health-care services, hygiene and environmental sanitation, education, basic instruction and vocational training;

Prevention and eradication of the sale of children, child prostitution and child pornography

45. *Welcomes* the extension of the mandate of the Special Rapporteur on the sale of children, child prostitution and child pornography by the Human Rights Council;

46. *Also welcomes* the convening of the Third World Congress against Sexual Exploitation of Children and Adolescents, to be held from 25 to 28 November 2008 in Rio de Janeiro, Brazil, aimed at stimulating debate and mobilizing the efforts of the international community to eradicate the sexual exploitation of children and adolescents;

47. *Expresses deep concern* about the persistence of the practices of the sale of children, commercial sexual exploitation of children, child prostitution and child pornography in many parts of the world, and calls upon all States:

(a) To criminalize and penalize effectively all forms of sexual exploitation and sexual abuse of children, including all acts of paedophilia, including within the

[22] See resolution 2200 A (XXI), annex.

family or for commercial purposes, child pornography and child prostitution, child sex tourism, trafficking in children, the sale of children and the use of the Internet and other information and communications technologies for these purposes, and to take effective measures against the criminalization of children who are victims of exploitation;

(b) To ensure the prosecution and punishment of offenders, whether local or foreign, by the competent national authorities, either in the country in which the crime was committed, in the country of which the offender is a national or resident, in the country of which the victim is a national, or on any other basis permitted under domestic law, and for these purposes to afford one another the greatest measure of assistance and the necessary collaboration for prevention, detection, investigations or criminal or extradition proceedings;

(c) To criminalize and penalize effectively the sale of children, including for the purposes of transfer of organs of the child for profit, to increase cooperation at all levels to prevent and dismantle networks trafficking in or selling children and their organs and, for those States that have not yet done so, to consider signing and ratifying or acceding to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime;[23]

(d) To give due consideration to the recommendations made by the Special Rapporteur on the human rights aspects of the victims of trafficking in persons, especially women and children, in her report,[24] devoted to the subject of forced marriage in the context of trafficking in persons;

(e) In cases of trafficking in children, the sale of children, child prostitution, child pornography and child sex tourism, to address effectively the needs of victims, including their safety, legal assistance and protection, physical and psychological recovery and full reintegration into society, paying particular attention to their gender-specific needs, including through bilateral and multilateral technical cooperation and financial assistance;

(f) To combat the existence of a market that encourages such criminal practices against children, including through the adoption, effective application and enforcement of preventive, rehabilitative and punitive measures targeting customers or individuals who sexually exploit or sexually abuse children, as well as by ensuring public awareness;

(g) To give priority to the identification of norms and standards on the responsibilities of transnational corporations and other business enterprises, particularly those involved in information and communications technologies, related to respect for the rights of children, including the right to be protected from sexual abuse and exploitation, particularly in the virtual realm, as prohibited by the relevant legal instruments, and to outline basic measures to be taken for implementation;

(h) To mobilize public awareness, involving families and communities, with the participation of children, concerning the protection of children against all forms of sexual exploitation and abuse;

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[23] United Nations, *Treaty Series*, vol. 2237, No. 39574.

[24] A/HRC/4/23 and Corr.1 and Add.1 and 2 and Add.2/Corr.1.

(i) To contribute to the prevention and elimination of the sale of children, child prostitution and child pornography by adopting a holistic approach, addressing the contributing factors, including underdevelopment, poverty, economic disparities, inequitable socio-economic structures, dysfunctional families, lack of education, urban-rural migration, gender discrimination, criminal or irresponsible adult sexual behaviour, child sex tourism, organized crime, harmful traditional practices, armed conflicts and trafficking in children;

(j) To take measures to eliminate the demand that fosters all forms of exploitation that leads to trafficking, including sexual exploitation and the sex tourism demand;

Children affected by armed conflict

48. *Strongly condemns* any recruitment or use of children in armed conflict contrary to international law, as well as other violations and abuses committed against children affected by armed conflict, and urges all States and other parties to armed conflict that are engaged in such practices to end them;

49. *Recalls*, in accordance with international humanitarian law, that indiscriminate attacks against civilians, including children, are prohibited and that they shall not be the object of attack, including by way of reprisal or excessive use of force, condemns these practices, and demands that all parties immediately put an end to them;

50. *Calls upon* States:

(a) To enhance complementarity and coordination of national policies and strategies related to human rights, security, development and humanitarian issues with a view to addressing the short-, medium- and long-term impacts of armed conflict on children in an effective, sustainable and comprehensive manner;

(b) When ratifying the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict,[25] to raise the minimum age for voluntary recruitment of persons into the national armed forces from that set out in article 38, paragraph 3, of the Convention, bearing in mind that under the Convention persons under 18 years of age are entitled to special protection, and to adopt safeguards to ensure that such recruitment is not forced or coerced;

(c) To take all feasible measures to ensure the demobilization and effective disarmament of children used in armed conflicts and to implement effective measures for their rehabilitation, physical and psychological recovery and reintegration into society, in particular through educational measures, taking into account the rights and the specific needs and capacities of girls;

(d) To ensure timely and adequate funding for rehabilitation and reintegration efforts for all children associated with armed forces and groups, particularly in support of national initiatives, to secure the long-term sustainability of such efforts, including, inter alia, through the use of a community-based approach that is inclusive of all children, family-based care arrangements, as also highlighted by the Principles and Guidelines on Children Associated with Armed Forces or

[25] United Nations, *Treaty Series*, vol. 2173, No. 27531.

Armed Groups (the Paris Principles),[26] and the mobilization of financial resources and technical assistance from international cooperation for rehabilitation, reintegration and resocialization programmes for children, including by making use of all international forums and conferences related to this matter, including the meetings in follow-up to the "Free Children from War" conference, held in Paris on 5 and 6 February 2007;

(e) To encourage the involvement of young people in activities concerning the protection of children affected by armed conflict, including programmes for reconciliation, peace consolidation, peacebuilding and children-to-children networks;

(f) To protect children affected by armed conflict, in particular from violations of international humanitarian law and human rights law, and to ensure that they receive timely, effective humanitarian assistance, in accordance with international humanitarian law, including the Geneva Conventions of 12 August 1949,[27] and calls upon the international community to hold those responsible for violations accountable, inter alia, through the International Criminal Court;

(g) To take all feasible measures, in accordance with international humanitarian law and human rights law, as a matter of priority, to prevent the recruitment and use of children by armed groups, as distinct from the armed forces of a State, including the adoption of policies that do not tolerate the recruitment and use of children in armed conflict, and legal measures necessary to prohibit and criminalize such practices;

(h) To support relevant existing internationally agreed mechanisms established to address the issue of children in armed conflict that contribute to the roles, responsibilities and capacities of national Governments in this field;

51. *Takes note* of the updating of the Cape Town Principles on child soldiers,[28] which led to the Paris Principles, encourages Member States to consider using the Paris Principles to inform their work in protecting children from the effects of armed conflicts, and requests the relevant entities of the United Nations system, within their mandates, and invites civil society to assist Member States in this field;

52. *Reaffirms* the essential roles of the General Assembly, the Economic and Social Council and the Human Rights Council for the promotion and protection of the rights and welfare of children, including children affected by armed conflict, and notes the increasing role played by the Security Council in ensuring protection for children affected by armed conflict;

53. *Notes with appreciation* the steps taken regarding Security Council resolution 1612 (2005) of 26 July 2005 and the efforts of the Secretary-General to implement the monitoring and reporting mechanism on children and armed conflict in accordance with that resolution, with the participation of and in cooperation with national Governments and relevant United Nations and civil society actors, including at the country level, as well as the work carried out by United Nations child protection advisers in peacekeeping operations;

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[26] Available from www.unicef.org.

[27] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

[28] See E/CN.4/1998/NGO/2.

54. *Takes note with appreciation* of the work of the Special Representative of the Secretary-General for Children and Armed Conflict, recognizes the increased level of activity of her office and the progress achieved since the establishment of the mandate of the Special Representative, and, bearing in mind its resolution 60/231 of 23 December 2005, recommends that the Secretary-General extend the mandate of the Special Representative for a further period of three years;

55. *Also takes note with appreciation* of the report of the Special Representative[29] and of the significant developments and achievements in the protection of children in armed conflict at the national and international levels;

56. *Recognizes* the need for discussion on the issues raised in the above-mentioned report, calls upon Member States and observers and invites relevant entities of the United Nations system as well as civil society, as appropriate, to carefully study its recommendations, and stresses the need for the views of Member States to be fully taken into account in this regard;

III
Child labour

57. *Expresses deep concern* about the fact that some 218 million children in the world today are involved in child labour and that more than half of them are involved in hazardous work that is damaging to their safety, mental and physical health or moral development, including in hazardous activities in agriculture, mining and domestic labour or in the worst forms of child labour, such as for purposes of child pornography, sexual exploitation, sale or trafficking, forced or compulsory labour, including the forced or compulsory recruitment of children for use in armed conflict, and different forms of slavery or practices similar to slavery;

58. *Recognizes* that a comprehensive and coherent approach to preventing and eradicating child labour must aim at poverty eradication, sustainable development and the provision of quality education and social protection measures, including protection against economic exploitation; special attention should be given to preventing any work that is likely to be hazardous, to interfere with the child's education or to be harmful to the child's health or physical, mental, spiritual, moral or social development so as to respond to the multidimensional reality of child labour;

59. *Also recognizes* the link between the prevention and eradication of child labour and the achievement of many of the targets of the Millennium Development Goals, in particular those related to education, poverty eradication, gender equality and global partnership for development;

60. *Further recognizes* that, given the role of the family environment in the full and harmonious development of the child and in preventing and eradicating child labour, families should be entitled to receive comprehensive protection and support;

61. *Recognizes* that child labour contributes to the perpetuation of poverty and remains a central obstacle to realizing the right of all children to education and to protection from violence, abuse and exploitation and that education at the same time, including literacy and adult education initiatives in the framework of

[29] A/63/227.

international and regional cooperation, are key elements in preventing and eradicating poverty and child labour;

62. *Takes note with appreciation* of the establishment of the Global Task Force on Child Labour and Education for All by a number of relevant organizations of the United Nations system and civil society representatives and of the effort to integrate more closely work on tackling child labour and promoting education for all children;

63. *Urges* all States that have not yet ratified the Convention concerning Minimum Age for Admission to Employment, 1973 (Convention No. 138) and the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (Convention No. 182) of the International Labour Organization to consider doing so as a matter of priority;

64. *Recognizes* the decisive role of employers' and workers' organizations in the prevention and eradication of child labour and that their continuous commitment and engagement remain essential;

65. *Calls upon* all States to translate into concrete action their commitment to the progressive and effective elimination of child labour that is likely to be hazardous or to interfere with the child's education or to be harmful to the child's health or physical, mental, spiritual, moral or social development, to eliminate immediately the worst forms of child labour, to promote education as a key strategy in this regard, including the creation of vocational training and apprenticeship programmes and the integration of working children into the formal education system, and to examine and devise economic policies, where necessary, in cooperation with the international community, that address factors contributing to these forms of child labour;

66. *Also calls upon* all States:

(a) To elaborate and implement strategies for the prevention and elimination of child labour contrary to accepted international standards, including time-bound strategies for the immediate elimination of the worst forms of child labour, and for the protection of children from all forms of economic exploitation, giving special attention to specific dangers faced by girls and by boys;

(b) To mobilize national partnerships and international cooperation aimed at supporting the effective implementation of time-bound national strategies for the prevention and eradication of child labour, including those focusing in the improvement of the conditions of children, and to encourage support for social and economic policies aimed at poverty eradication and at providing families, particularly women, with employment and income-generating opportunities;

(c) To increase the focus on access to quality education as a way to help attract and keep children in school, including by emphasizing the goal of a well-trained teaching force with appropriate salaries and working and living conditions and ongoing professional support for children in educational settings, as well as increasing access to information and communication technologies for schools, and calls upon the international community to provide cooperation in those fields;

(d) To assess and systematically examine the magnitude, nature and causes of child labour and to strengthen the collection and analysis of data on child labour, giving special attention to specific dangers faced by girls;

(e) To take concrete measures for the rehabilitation and social integration of children removed from the worst forms of child labour by, inter alia, ensuring access to education and social services;

(f) Take appropriate steps to assist one another in the elimination of the worst forms of child labour through enhanced international cooperation and/or assistance, including support for social and economic development, poverty eradication programmes and universal education;

(g) To promote policies and legislation aimed at addressing national priorities relating to the prevention and eradication of child labour through family-centred components of policies and programmes as part of an integrated comprehensive approach to development, bearing in mind the equality of women and men;

(h) To put in place programmes and social protection systems, guided by the principle of the best interests of the child, to support and protect migrant children, especially the girl child, who are vulnerable to child labour, including the worst forms of child labour;

67. *Urges* all States to pursue a national policy designed to ensure the effective eradication of child labour, and encourages those States that have not yet done so to raise progressively the minimum age for admission to employment or work to a level consistent with the fullest physical and mental development of young persons;

68. *Calls upon* all States and the United Nations system to strengthen international cooperation as a means of assisting Governments in ensuring the realization of the rights of the child and in attaining the objective of eradicating child labour contrary to accepted international standards;

69. *Calls upon* the international community to promote international cooperation to assist developing countries, upon request, in addressing child labour and its root causes, inter alia, through social and economic policies aimed at poverty eradication, while stressing that labour standards should not be used for protectionist trade purposes;

70. *Calls upon* States and the international community to mainstream action relating to child labour into national poverty eradication and development efforts, especially in policies and programmes in the areas of health, education, employment and social protection;

71. *Welcomes* the efforts of the Committee on the Rights of the Child in the area of child labour, and encourages the Committee, as well as other relevant human rights treaty bodies, within their respective mandates, to continue to monitor this growing problem when examining the reports of States parties;

IV
Follow-up

72. *Decides*:

(a) To request the Secretary-General to submit ... the General Assembly at its sixty-fourth session a report on the rights of the child containing information on the status of the Convention on the Rights of the Child[1] and the issues addressed in the

present resolution, with a focus on international efforts and national progress in tackling child labour and progress towards meeting the target of eliminating the worst forms of child labour by the year 2016, as agreed in the context of the International Labour Organization;

(b) To request the Special Representative of the Secretary-General for Children and Armed Conflict to continue to submit reports to the General Assembly and the Human Rights Council on the progress achieved and the challenges remaining on the children and armed conflict agenda;

(c) To invite the Chairperson of the Committee on the Rights of the Child to present an oral report on the work of the Committee to the General Assembly at its sixty-fourth session as a way to enhance communication between the Assembly and the Committee;

(d) To continue its consideration of the question at its sixty-fourth session under the item entitled "Promotion and protection of the rights of children", focusing section III of the resolution on the rights of the child on "The right of the child to express his or her views freely in all matters affecting him or her".

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Sixty-third session
Third Committee
Agenda item 61
Indigenous issues

Guatemala: draft resolution

Indigenous issues

The General Assembly,

Recalling all relevant resolutions of the General Assembly, the Human Rights Council and the Economic and Social Council related to indigenous issues,

Recalling also that the General Assembly proclaimed, in its resolution 59/174 of 20 December 2004, the Second International Decade of the World's Indigenous People,

Bearing in mind that the Assembly adopted, in its resolution 61/295 of 13 September 2007, the United Nations Declaration on the Rights of Indigenous Peoples,

Recalling that in previous sessions of the General Assembly, constructive dialogues were held with the first Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples,

1. *Requests* the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people to report on the implementation of his mandate to the General Assembly at its sixty-fourth session;

2. *Also requests* that the Secretary-General undertake an evaluation of the objectives of the Second Decade with a view to reinforcing them and to ensuring fulfilment of the established goal of the Second Decade, and report to the General Assembly in 2010.

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Third Committee
Agenda item 64 (a)
Promotion and protection of human rights: implementation of human rights instruments

Argentina, Austria, Azerbaijan, Belgium, Benin, Brazil, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Estonia, Finland, France, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Mexico, Mongolia, Montenegro, Netherlands, New Zealand, Norway, Panama, Paraguay, Peru, Poland, Portugal, Romania, Serbia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, United States of America and Venezuela (Bolivarian Republic of): draft resolution

Torture and other cruel, inhuman or degrading treatment or punishment

The General Assembly,

Reaffirming that no one shall be subjected to torture or to other cruel, inhuman or degrading treatment or punishment,

Recalling that freedom from torture and other cruel, inhuman or degrading treatment or punishment is a non-derogable right that must be protected under all circumstances, including in times of international or internal armed conflict or disturbance, and that the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment is affirmed in relevant international instruments,

Recalling also that the prohibition of torture is a peremptory norm of international law and that international, regional and domestic courts have held the prohibition of cruel, inhuman or degrading treatment or punishment to be customary international law,

Recalling further the definition of torture contained in article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[1] without prejudice to any international instrument or national legislation which contains or may contain provisions of wider application,

[1] United Nations, *Treaty Series*, vol. 1465, No. 24841.

Emphasizing the importance of properly interpreting and implementing the obligations of States with respect to torture and other cruel, inhuman or degrading treatment or punishment, and of abiding strictly by the definition of torture contained in article 1 of the Convention,

Noting that under the Geneva Conventions of 1949[2] torture and inhuman treatment are a grave breach and that under the statute of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, the statute of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 and the Rome Statute of the International Criminal Court[3] acts of torture can constitute crimes against humanity and, when committed in a situation of armed conflict, constitute war crimes,

Acknowledging the adoption of the International Convention for the Protection of All Persons from Enforced Disappearance in its resolution 61/177 of 20 December 2006, and recognizing that its entry into force as soon as possible and its implementation will make a significant contribution to the prevention of torture, including through prohibiting places of secret detention,

Commending the persistent efforts of civil society organizations, including non-governmental organizations, national human rights institutions and the considerable network of centres for the rehabilitation of victims of torture, to combat torture and to alleviate the suffering of victims of torture,

Welcoming the entry into force of the Convention on the Rights of Persons with Disabilities,[4] which reaffirms that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment,

1. *Condemns* all forms of torture and other cruel, inhuman or degrading treatment or punishment, including through intimidation, which are and shall remain prohibited at any time and in any place whatsoever and can thus never be justified, and calls upon all States to implement fully the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment;

2. *Emphasizes* that States must take persistent, determined and effective measures to prevent and combat torture and other cruel, inhuman or degrading treatment or punishment, and stresses that all acts of torture must be made offences under domestic criminal law;

3. *Calls upon* States parties to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[5] to fulfil their obligation to designate or establish truly independent and effective national preventive mechanisms for the prevention of torture, encourages all other

[2] Ibid., vol. 75, Nos. 970-973.
[3] Ibid., vol. 2187, No. 38544.
[4] Resolution 61/106, annex I.
[5] Resolution 57/199, annex.

States which have not yet done so to establish similar mechanisms, and welcomes the establishment of all such national preventive mechanisms;

4. *Emphasizes* the importance of States ensuring proper follow-up to the recommendations and conclusions of the relevant treaty bodies and mechanisms, including the Committee against Torture, the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Special Rapporteur of the Human Rights Council on torture and other cruel, inhuman or degrading treatment or punishment;

5. *Condemns* any action or attempt by States or public officials to legalize, authorize or acquiesce in torture and other cruel, inhuman or degrading treatment or punishment under any circumstances, including on grounds of national security or through judicial decisions;

6. *Stresses* that all allegations of torture or other cruel, inhuman or degrading treatment or punishment must be promptly and impartially examined by the competent domestic authority, and that those who encourage, order, tolerate or perpetrate such acts must be held responsible, brought to justice and punished commensurate with the severity of the offence, including the officials in charge of the place of detention where the prohibited act is found to have been committed;

7. *Takes note* in this respect of the Principles on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Istanbul Principles)[6] as a useful tool in efforts to prevent and combat torture and of the updated set of principles for the protection of human rights through action to combat impunity;[7]

8. *Calls upon* States parties to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[1] to fulfil their obligation to submit for prosecution or extradite those alleged to have committed acts of torture, and encourages other States to do likewise;

9. *Calls upon* all States to implement effective measures to prevent torture and other cruel, inhuman or degrading treatment or punishment, particularly in places of detention and other places where persons are deprived of their liberty, including education and training of personnel who may be involved in the custody, interrogation or treatment of any individual subjected to any form of arrest, detention or imprisonment;

10. *Also calls upon* all States to adopt a gender sensitive approach in the fight against torture and cruel, inhuman or degrading treatment or punishment, paying special attention to violence against women and girls;

11. *Calls upon* States to ensure that the rights of persons with disabilities, bearing in mind the Convention on the Rights of Persons With Disabilities,[4] are fully integrated into torture prevention and protection, and welcomes the efforts of the Special Rapporteur in this regard;

12. *Encourages* all States to ensure that persons convicted of torture or other cruel, inhuman or degrading treatment or punishment have no subsequent

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[6] Resolution 55/89, annex.

[7] See E/CN.4/2005/102/Add.1.

involvement in the custody, interrogation or treatment of any person under arrest, detention, imprisonment or other deprivation of liberty;

13. *Emphasizes* that acts of torture in armed conflict are serious violations of international humanitarian law and in this regard constitute war crimes, that acts of torture can constitute crimes against humanity and that the perpetrators of all acts of torture must be prosecuted and punished;

14. *Strongly urges* States to ensure that no statement that is established to have been made as a result of torture is invoked as evidence in any proceedings, except against a person accused of torture as evidence that the statement was made;

15. *Stresses* that States must not punish personnel for not obeying orders to commit or conceal acts amounting to torture or other cruel, inhuman or degrading treatment or punishment;

16. *Urges* States not to expel, return ("refouler"), extradite or in any other way transfer a person to another State where there are substantial grounds for believing that the person would be in danger of being subjected to torture, and recognizes that diplomatic assurances, where used, do not release States from their obligations under international human rights, humanitarian and refugee law, in particular the principle of non-refoulement;

17. *Stresses* that national legal systems must ensure that victims of torture and other cruel, inhuman or degrading treatment or punishment obtain redress, are awarded fair and adequate compensation and receive appropriate social and medical rehabilitation, urges States to take effective measures to this end, and in this regard encourages the development of rehabilitation centres;

18. *Recalls* its resolution 43/173 of 9 December 1988 on the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, and in this context stresses that ensuring that any individual arrested or detained is promptly brought before a judge or other independent judicial officer in person and permitting prompt and regular medical care and legal counsel as well as visits by family members and independent monitoring mechanisms are effective measures for the prevention of torture and other cruel, inhuman or degrading treatment or punishment;

19. *Reminds* all States that prolonged incommunicado detention or detention in secret places can facilitate the perpetration of torture and other cruel, inhuman or degrading treatment or punishment and can in itself constitute a form of such treatment, and urges all States to respect the safeguards concerning the liberty, security and dignity of the person;

20. *Notes* the Istanbul Statement on the Use and Effects of Solitary Confinement,[8] and encourages States to reflect upon this statement as a useful tool in efforts to promote and respect the rights of detainees;

21. *Calls upon* all States to take appropriate effective legislative, administrative, judicial and other measures to prevent and prohibit the production, trade, export and use of equipment that is specifically designed to inflict torture or other cruel, inhuman or degrading treatment or punishment;

[8] See A/63/175, annex.

22. *Urges* all States that have not yet done so to become parties to the Convention as a matter of priority and calls upon States parties to give serious consideration to signing and ratifying the Optional Protocol to the Convention;

23. *Invites* all States parties to the Convention that have not yet done so to make the declarations provided for in articles 21 and 22 of the Convention concerning inter-State and individual communications, to consider the possibility of withdrawing their reservations to article 20 of the Convention and to notify the Secretary-General of their acceptance of the amendments to articles 17 and 18 of the Convention with a view to enhancing the effectiveness of the Committee against Torture as soon as possible;

24. *Urges* States parties to comply strictly with their obligations under the Convention, including, in view of the high number of reports not submitted in time, their obligation to submit reports in accordance with article 19 of the Convention, and invites States parties to incorporate a gender perspective and information concerning children and juveniles and persons with disabilities when submitting reports to the Committee;

25. *Welcomes* the work of the Committee and its report submitted in accordance with article 24 of the Convention,[9] recommends that the Committee continue to include information on the follow-up by States to its recommendations, and supports the Committee in its intention to further improve the effectiveness of its working methods;

26. *Invites* the Chairpersons of the Committee and the Subcommittee to address the General Assembly at future sessions under the agenda item "Promotion and protection of human rights: implementation of human rights instruments";

27. *Calls upon* the United Nations High Commissioner for Human Rights, in conformity with her mandate established by the General Assembly in its resolution 48/141 of 20 December 1993, to continue to provide, at the request of States, advisory services for the prevention of torture and other cruel, inhuman or degrading treatment or punishment, including for the preparation of national reports to the Committee and for the establishment and operation of national preventive mechanisms, as well as technical assistance for the development, production and distribution of teaching material for this purpose;

28. *Notes with appreciation* the interim report of the Special Rapporteur,[10] and encourages the Special Rapporteur to continue to include in his recommendations proposals on the prevention and investigation of torture and other cruel, inhuman or degrading treatment or punishment, including its gender-based manifestations;

29. *Requests* the Special Rapporteur to continue to consider including in his report information on the follow-up by States to his recommendations, visits and communications, including progress made and problems encountered, and on other official contacts;

30. *Calls upon* all States to cooperate with and assist the Special Rapporteur in the performance of his task, to supply all necessary information requested by the

[9] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 44* (A/63/44).
[10] See A/63/175.

Special Rapporteur, to fully and expeditiously respond to and follow up his urgent appeals, to give serious consideration to responding favourably to requests by the Special Rapporteur to visit their countries and to enter into a constructive dialogue with the Special Rapporteur on requested visits to their countries as well as with respect to the follow-up to his recommendations;

31. *Stresses* the need for the continued regular exchange of views among the Committee, the Subcommittee, the Special Rapporteur and other relevant United Nations mechanisms and bodies, as well as for the pursuance of cooperation with relevant United Nations programmes, notably the United Nations Crime Prevention and Criminal Justice Programme, with regional organizations and mechanisms, as appropriate, and civil society organizations, including non-governmental organizations, with a view to enhancing further their effectiveness and cooperation on issues relating to the prevention and eradication of torture, inter alia, by improving their coordination;

32. *Recognizes* the global need for international assistance to victims of torture, stresses the importance of the work of the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture, appeals to all States and organizations to contribute annually to the Fund, preferably with a substantial increase in the level of contributions, and encourages contributions to the Special Fund established by the Optional Protocol to help finance the implementation of the recommendations made by the Subcommittee as well as education programmes of the national preventive mechanisms;

33. *Requests* the Secretary-General to continue to transmit to all States the appeals of the General Assembly for contributions to the Funds and to include the Funds on an annual basis among the programmes for which funds are pledged at the United Nations Pledging Conference for Development Activities;

34. *Also requests* the Secretary-General to submit to the Human Rights Council and to the General Assembly at its sixty-fourth session a report on the operations of the Funds;

35. *Further requests* the Secretary-General to ensure, within the overall budgetary framework of the United Nations, the provision of adequate staff and facilities for the bodies and mechanisms involved in preventing and combating torture and assisting victims of torture or other cruel, inhuman or degrading treatment or punishment commensurate with the strong support expressed by Member States for preventing and combating torture and assisting victims of torture;

36. *Calls upon* all States, the Office of the United Nations High Commissioner for Human Rights and other United Nations bodies and agencies, as well as relevant intergovernmental and civil society organizations, including non-governmental organizations, to commemorate, on 26 June, the United Nations International Day in Support of Victims of Torture;

37. *Decides* to consider at its sixty-fourth session the reports of the Secretary-General, including the report on the United Nations Voluntary Fund for Victims of Torture and the Special Fund established by the Optional Protocol, the report of the Committee against Torture and the interim report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment.